

The Rt Hon William Hague MP
Secretary of State for Foreign and Commonwealth Affairs
Foreign and Commonwealth Office
King Charles Street
London
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3 April 2014

Dear Rt Hon William Hague MP

**Re: The FCO's Strategy for the Prevention of Torture -
Feedback from civil society groups in countries where torture is endemic**

We are writing to provide you with an update on a meeting that was convened in March to consider the FCO's Strategy for the Prevention of Torture. We co-hosted this meeting at the House of Commons under the auspices of the All-Party Parliamentary Human Rights Group (PHRG) and REDRESS, in the wider context of a visit to London of approximately 20 anti-torture specialists who collaborate with REDRESS; representatives from Chile, Egypt, Ivory Coast, Jamaica, Jordan, Kenya, Mexico, Nepal, Nigeria, Peru, Libya, Russia, Serbia, Sri Lanka, Thailand, Turkey and Uganda were in attendance.

The purpose of the meeting was to provide an opportunity for these experts to comment on the FCO's Strategy. In particular, the meeting considered how the Strategy was already impacting torture prevention activities in their respective countries, and how the Strategy and its implementation could be ameliorated.

General Comments

In general, all present commended the FCO's Strategy, which includes both proactive and reactive elements and a clear statement that HMG considers 'torture to be an abhorrent violation of human rights and human dignity, and unreservedly condemns the practice'. The United Kingdom is one of the only (if not the only) country to have articulated an anti-torture policy in respect of its foreign relations. This, in and of itself, attests to the importance to which HMG assigns to the prohibition of torture and the need for its eradication, which is very much welcomed. However, participants commented that at times, the FCO's analysis or criticism of torture and related human rights concerns appeared simplistic, focusing on a particular component of the problem and avoiding systemic abuses, which may be present in both conflict periods and peace time.

The Convention Against Torture and its Optional Protocol

The Strategy places emphasis on the need to promote global ratification and implementation of the Convention Against Torture and the Optional Protocol. The work of the FCO in this area has been intensive and consistent. It continues to have a major impact on the progressive ratification of this important instrument as well as on the establishment and implementation of National Preventive Mechanisms in the UK and around the world. Further to this, it would be important for HMG's National Preventive Mechanism to provide monitoring oversight over all detention facilities in the UK and overseas over which the Government has effective control.

Consistency in the application of the anti-torture policy

The need for the FCO to implement its Strategy consistently was underscored. In particular, it was stressed that the FCO's condemnation of torture should extend to all countries where torture is a serious problem. Condemnation should not only be reserved for 'rogue' states or states where there is no strategic relationship. HMG could have an even greater impact if it were to raise torture concerns more regularly with countries with which it has a close relationship, as it could depoliticise the issue. More specifically, many of the NGO representatives present underscored the importance of HMG interventions on the issue of torture, particularly in conflict or troubled areas. Participants also encouraged the FCO to criticise torture-related issues wherever and whenever it is warranted, even if the FCO policy is one of overall political support.

Furthermore, the FCO's Strategy will only be successful if matched with a commitment by HMG to address all allegations of torture and other cruel, inhuman and degrading treatment or punishment involving the collusion, complicity or connivance of UK officials in such acts. We therefore encourage HMG to properly investigate these allegations in ways fully compliant with international human rights standards to arrive at the truth.

The role of the FCO in taking up individual cases

The FCO Torture and Mistreatment Reporting Guidance provides that 'every member of staff has an individual responsibility to report immediately allegations and/or concerns about suspected torture or cruel, inhuman or degrading treatment or punishment (CIDT) that occurs overseas, so that such allegations and/or concerns can be acted upon appropriately.' This is a crucial complement to the Strategy on the Prevention of Torture. Participants noted that despite the existence of the Reporting Guidance, individuals cases were being pursued by the FCO too infrequently. In addition, it would be helpful to know what training staff receive in order to be able to discharge this obligation.

We hope that this input and feedback is useful to your Department in taking forward its anti-torture work. We, and members of the PHRG and staff at REDRESS, would welcome the opportunity to discuss these issues further, in the context of our ongoing collaboration with the FCO and the Human Rights and Democracy Unit.

Sincerely,



Rt Hon Ann Clwyd MP
Chair, All-Party Parliamentary Human Rights Group (PHRG)



Sir Emyr Jones Parry
Chair, REDRESS