

Involvement in torture is not limited to US and apartheid-era South African doctors

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Text of Letter by Drs C J Burns-Cox, David Halpin, C Stephen Frost, Peter Hall, Doctors for Human Rights, Abbots Langley, UK (PH) addressed to The Lancet, www.thelancet.com Vol 370 December 15, 2007

"If...the machine of government... is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law." Henry David Thoreau (1817-1862)

Involvement in torture is not limited to US and apartheid-era South African doctors.¹ Currently Canadian doctors face allegations of torture in Afghanistan, and, according to Amnesty International, and Physicians for Human Rights Israel, and others, assisting in torture is a regular part of the job of many Israeli doctors.² There are also unconfirmed reports of UK military doctors assisting in torture and deliberately giving incorrect causes of death on certificates.^{3,4}

The UN convention against torture (2005), ratified by the UK government, obliges governments to investigate and prosecute where there is suspicion of assisting in or turning a blind eye to torture. If it will not follow up and prosecute, it is bound to extradite to a country that will.

When there is an authoritarian government, illegal or legal war, or occupation, doctors are at great risk of going along with evil practices. The brave ones who refuse deserve our respect and help, for their paths will be lonely. We remember what injustice was meted out to the British air force medical officer Malcolm Kendall-Smith, who faced criminal charges for challenging the legality of the war against Iraq. Justice was, however, done to a serving German army officer who was cleared by the supreme court in Germany when he obeyed his conscience and refused to obey orders pertaining to the Iraq war.⁵

We request to have assurance from the UK military, backed up with documentation, that the doctors they employ are given clear instruction on what to do about torture -eg, the definition of torture, when and to whom to report instances of torture, and action to be taken against those guilty. To fail to give clear guidance is a failure of duty to peculiarly vulnerable employees.

Yours faithfully

Drs C J Burns-Cox, David Halpin, C Stephen Frost, Peter Hall

Notes

1 Nicholl DJ, Jenkins T, Miles SH, Hopkins W, Siddiqui A, Boulton F, on behalf of 260 other signatories. Biko to Guantanamo: 30 years of medical involvement in torture. *Lancet* 2007; 370: 823.

2 Amnesty International. Under constant medical supervision: torture, ill-treatment and the health professions in Israel and the Occupied Territories. London, UK: Amnesty International, 1996. http://web.amnesty.org/library/Index/EN_GMDE150371996?open&of=ENG-ISR (accessed Oct 23, 2007).

3 Bamber H, Gordon E, Heilbronn R, Forrest D. Attitudes to torture. *J R Soc Med* 2002; 95: 271-72.

4 Gross ML. Doctors in the decent society: torture, ill-treatment and civic duty. *Bioethics* 2004; 18: 181-203.

5 Ruling of the 2nd Wehrdienstsenat of the Bundesverwaltungsgericht (BVerwG) of June 21, 2005. BVerwG 2 WD 12.04.

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