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MEDIA RELEASE – FOR IMMEDIATE RELEASE

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TORTURE IS NEVER JUSTIFIABLE

Torture is a systematic violation of human rights that is, and must remain, unacceptable under any circumstances.

The Forum of Australian Services for Survivors of Torture and Trauma (FASSTT) completely disagrees with the views put by Professor Mirko Bagaric in the media on Tuesday 17 May 2005, when he argued that torture is justifiable in certain circumstances.

FASSTT is a network of Australia's eight specialist torture and trauma rehabilitation services (one in each state and territory). The forum's member agencies work with people who have come to Australia, mostly as refugees and humanitarian entrants, who have survived being tortured or who have been traumatised by their refugee experience. We also work with people seeking asylum in Australia.

Of major concern is the proposition that based upon the simplistic hypothetical "ticking bomb" scenario, the essential elements of which can never be guaranteed in the real world, the international community should abandon the principle of a total prohibition against all forms of torture. This shallow argument has been expressed by other academics, notably Harvard Law Professor Alan Dershowitz, and fails to address the complexity of real life situations and the consequences for society of accepting such utilitarianism.

According to Mr Paris Aristotle, Director of the Victorian Foundation for Survivors of Torture, and Executive of FASSTT, "to accept such a view would require a terrifying diminution of moral standards in order for such a proposition to have a place in international law. This would do nothing to advance human rights nor would it provide an answer to international terrorism".

Mr Aristotle went on to say that, "our clients were tortured and traumatised by regimes that relied on similar arguments as those expressed in Professor Bagaric's paper to justify their own practices".

Views expressed by the authors that torture is an excellent information gathering device and as such should be considered for use in cases where it may help to avert a "moral catastrophe" are both erroneous and ignorant of the true purpose of torture.

Torture is not an excellent information gathering device, as has been confirmed by retired CIA and FBI operatives, because it usually results in unreliable information being provided in the hope that the torture will stop. Torture is primarily an instrument for asserting (and abusing) power over an individual, organisation or community by inflicting extreme physical and

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Telephone: 08 9227 2700

Companion House
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O'Connor, ACT 2602
Telephone: 02 6247 7227

Phoenix Support Service for Survivors of Torture and Trauma
49 Mollie Street,
Hobart, TAS 7000
Telephone: 03 6234 9330 and
03 6234 9138

QPASTT: Queensland Program of Assistance to Survivors of Torture and Trauma
P.O. Box 6254,
Fairfield, QLD 4103
Telephone: 07 3391 6677

STARTTS: Service for the Treatment and Rehabilitation of Torture and Trauma Survivors
P.O. Box 203,
Fairfield, NSW 2165
Telephone: 02 9794 1900

STTARS: Survivors of Torture and Trauma Assistance and Rehabilitation Service
12 Hawker Street,
Bowden, SA 5007
Telephone: 08 8346 5433

Melaleuca Refugee Centre: Torture and Trauma Survivors Service of the Northern Territory
P.O. Box 1226,
Nightcliff, NT 0814
Telephone: 08 8985 3311

VFST: Victorian Foundation for Survivors of Torture
P.O. Box 96,
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psychological pain in order to send a message to others who share similar views as the person being tortured. The traumatic consequences of such behaviour on the victims would always be devastating and enduring.

As a refuge from the countries in which torture took place, Australia represents an opportunity for survivors to heal from past, traumatic experiences. A crucial component to ensuring the sense of safety necessary for this to occur is our rejection of any view that torture could be either acceptable or morally justifiable.

For more information or to arrange interviews please contact Paris Aristotle or Rebecca Cole on 03 9389 8932 or email coler@survivorsvic.org.au.

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