

## **The medical contribution to assessing allegations of torture in international fact-finding missions.**

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### **Abstract**

International fact-finding missions directed towards the exposure of possible ill-treatment of persons deprived of their liberty have become increasingly common within the framework of international treaties. Such country visits occur with the consent and co-operation of government, provide unfettered access to all places of detention and allow private interviews with detainees. The Committee for the Prevention of Torture of the Council of Europe, the United Nations Special Rapporteur on Torture, and the United Nations Subcommittee on Prevention of Torture all engage in such missions, and make use of a medical professional as part of the investigative team. The medical contribution to fact finding missions assessing ill-treatment of detainees includes an assessment of the conditions of detention, the regime and the medical services. Custody doctors and their records can be a rich source of information about physical ill-treatment. The interview and examination of detainees often occurs in circumstances which are far from ideal. The safety and wellbeing of the detainees, including protection from reprisals, is always paramount. A medical examination may disclose injuries corroborative of specific allegations. More often, a medical history of the effects of ill treatment and the description of resolved transient injuries provides corroboration, and also forms part of assessing the overall credibility of the detainee. Equally important is the consistency of the allegation with other evidence obtained from a wide variety of sources including the inspection of the place of alleged ill-treatment. The evolved working methods draw on the basic principles underlying police criminal investigations and crime scene examinations as well as forensic medicine. A forensic medical expert can be a useful part of the team in such international fact finding missions.