Maadel al Jalmedi was captured by the US on suspicion that he had t. terror links. He was severely tortured during his interrogation. He was then transferred to the CIA(Central Intelligenece Agency) under custody for further interrogation. Later he was taken to a shower room. One CIA official tortured and hanged him by tying his wrists to his back.

Germany during world war 1 took lakhs of soldiers as captives no enough provisions,lead to problems of hygiene and illness. Unhygenic toilets,unbreathable atmosphere led to outspread of cholera and typhus.

Leads to illnesses like prisioners syndrome and barbed wire phycosis,epilepsy madness is comman

**IMPGermany signed Geneva convention In 1929 not ratified so didn’t follow.**

Theres no doubt delegates we need prisions but the way we run them isn’t inevitable it’s a choice so heres my manifesto for relational justice.

NHRIs should review whether their country has ratified all key international treaties related to torture, and in particular:

• the Convention against Torture (including articles 21 and 22) and its Optional Protocol

• the International Covenant on Civil and Political Rights and its Optional Protocol Where appropriate, regional treaties should also be considered (see chapter 2 for more information). If a State has not ratified these core treaties, NHRIs can develop and pursue a strategy to promote ratification. This can include making a formal recommendation to the Government to ratify certain treaties, actively lobbying governmental and parliamentary representatives and building public awareness on the issue.

2. Promoting legal reform The Convention against Torture contains a number of important measures that contribute to the prevention of torture. When a State ratifies the treaty it is obliged to implement these measures in its domestic laws and policies.

NHRIs in these countries have an important role to play to assess whether the national legal framework meets the requirements set out in the Convention against Torture. When this is not the case, NHRIs should use their mandate to promote the necessary legal reforms.

In countries with a monist system – where international obligations directly form part of the national legal framework – NHRIs should monitor the situation to assess whether these obligations are respected in practice.

**Criminalization of torture (article 4)**

Article 1 of the Convention against Torture provides a clear definition of torture. This definition makes torture distinct from other crimes such as assault, rape or murder, although there may be some overlap with these crimes.

The three key elements of the definition of torture include:

• that severe pain or suffering – physical or psychological – is inflicted intentionally

• it is committed by agents of the State, or with its consent or acquiescence

• for a specific purpose, such as obtaining information, punishment or intimidation.

The Convention against Torture requires States parties to make torture a specific offence in their national criminal law. The Committee against Torture recommends that States use, as a minimum, the definition provided in the Convention.

If it does not already exist, NHRIs should advocate that a specific crime of torture is included in their country’s criminal code, in accordance with article 1 of the Convention.

The Convention also requires States to ensure that the crime of torture is punishable with a penalty that takes into account the extremely grave nature of the offence.

***Inadmissibility of evidence obtained by torture (article 15)***

The criminal law should clearly state that any evidence obtained under torture is inadmissible in criminal proceedings brought against that person. NHRIs should ensure that this law is respected in practice.

***Universal jurisdiction to trial torturers (articles 5–9)***

NHRIs should ensure that legislation exists to enable the State to prosecute any alleged torturer in its territory, irrespective of whether the crime was committed outside its borders and regardless of the alleged perpetrator’s nationality, country of residence or absence of any other relationship with the country. If the State is unable to prosecute the offence, it is required to extradite the person to a State which is able and willing to prosecute such a crime.

**AGAINST COUNTRIES**

**Guantanamo Bay**

The American government has been accused of many breaches of prisoners’ rights in international law. The most publicized case is the [detention facility](https://en.wikipedia.org/wiki/Guantanamo_Bay_detention_camp) it maintains in [Guantanamo Bay](https://en.wikipedia.org/wiki/Guantanamo_Bay), [Cuba](https://en.wikipedia.org/wiki/Cuba). The American government claimed that the facility was not covered by the Geneva Conventions protecting prisoners of war as the detainees were ‘[enemy combatants](https://en.wikipedia.org/wiki/Enemy_combatants)’.[[29]](https://en.wikipedia.org/wiki/Prisoners%27_rights_in_international_law#cite_note-29) Regardless of the status accorded to detainees, international law still prohibits torture. It is now clear that the [CIA](https://en.wikipedia.org/wiki/CIA) allowed [water boarding](https://en.wikipedia.org/wiki/Water_boarding)[[30]](https://en.wikipedia.org/wiki/Prisoners%27_rights_in_international_law#cite_note-30) which is not only a breach of international law but also the American Army Field Manual which prohibits cruel, humiliating or degrading treatment.[[31]](https://en.wikipedia.org/wiki/Prisoners%27_rights_in_international_law#cite_note-31)

**Afghanistan**

In Afghanistan, US soldiers are accused of abusing prisoners in a secret prison in [Bagram Air Base](https://en.wikipedia.org/wiki/Bagram_Air_Base" \o "Bagram Air Base). The prisoners held there were exposed to extreme temperatures, not given adequate food, bedding, or natural light and religious duties were interfered with.[[32]](https://en.wikipedia.org/wiki/Prisoners%27_rights_in_international_law#cite_note-32) There are also claims of abuse in Shebarghan prison in northern Afghanistan for which America is jointly responsible with the Afghan government. Shebarghan prison is claimed to be overcrowded with inadequate bathing and ablution facilities, as well as lack of food and medical care.[[33]](https://en.wikipedia.org/wiki/Prisoners%27_rights_in_international_law#cite_note-33)

**Iraq**

In 2003, accusations started to emerge of prisoner abuse in [Abu Ghraib prison](https://en.wikipedia.org/wiki/Abu_Ghraib_prison). US soldiers at Abu Ghraib prison serving there were accused of beating prisoners, forcing prisoners to strip, forcing prisoners to masturbate, threatening prisoners with dogs, smearing prisoners with faeces, making prisoners simulate sex and form naked piles.[[34]](https://en.wikipedia.org/wiki/Prisoners%27_rights_in_international_law#cite_note-34) There was also accusations that prisoners were raped, sodomised and beaten to death.[[3](https://en.wikipedia.org/wiki/Prisoners%27_rights_in_international_law#cite_note-35)

**INDIA HASN’T RATTIFIED UNITED NATION CONVENTION AGAINST TORTURE**

TICKING BOMB SCENARIO

Israel provides a good example of how this logic works in practice. For years Israel justified its use of torture - what it called "moderate physical force" - by citing the "ticking bomb" scenario. But despite a genuine security threat, Israeli security forces rarely if ever were able to identify a particular suspect with knowledge about a particular bomb set to explode imminently. Rather, they ended up applying the scenario metaphorically to justify torturing virtually every Palestinian security detainee - thousands of people - on the theory that they might know something about some unspecified, future terrorist act. In 1999, the Israeli Supreme Court rejected the use of torture, although the practice seems to have increased in the past year.

In addition, the ticking bomb scenario offers no logical limitations on how much or what kind of torture would be permitted. If the detainee does not talk when shaken or hit, why shouldn't the government move unto more severe measures, such as the application of electric shocks? Why not threaten to rape the suspect's wife or to torture his children? Once torture is allowed, setting limits is extraordinarily difficult.

**Does the U.S. lose valuable information if torture is prohibited?**

Torture is as likely to yield false information as it is to yield the truth. Cesare Beccaria, the eighteenth century philosopher whose critique of torture remains influential today, observed that when a person is tortured, the "impression of pain…may increase to such a degree, that, occupying the mind entirely, it will compel the sufferer to use the shortest method of freeing himself from torment…[H]e will accuse himself of crimes of which he is innocent." Beccaria also pointed out the problem of using torture to discover the accused's accomplices: "Will not the man who [under torture falsely] accuses himself yet more readily accuse others?" [Beccaria, Cesare, [*Of Crimes and Punishments*.](http://www.la.utexas.edu/research/poltheory/fbeccaria/delitti/delitti.c16.html) (15 Nov. 2001).] . Contemporary law enforcement professionals concur. Oliver Ravel, former deputy director of the FBI, has stated that force is not effective: "people will even admit they killed their grandmother, just to stop the beatings." Indeed, the unreliability of forced confessions was one of the principal reasons that U.S. courts originally prohibited their use.

The prohibition on torture or other forms of cruel, inhuman or degrading conduct does not leave the government helpless before terrorists. Convictions in recent cases involving terrorism show that investigators currently have the means and legal methods to acquire the evidence necessary for successful prosecutions.