

STATEMENT



Criminal Justice sector Professionals – Forced Anal Exams Resolution

Amsterdam, August 3, 4, and 5, 2016

We, criminal Justice Sector Professionals including Police Officers, Prosecutors, Judges and Correctional officers,

Alarmed that since 2011, in at least eight countries (Egypt, Lebanon, Tunisia, Turkmenistan, Zambia, Uganda, Cameroon and Kenya) criminal justice sector officials, including police officers and prosecutors, have asked or ordered medical personnel to perform forced anal examinations on persons who have been accused of consensual same sex conduct, purportedly to gather ‘evidence’ of homosexual behavior;

Alarmed that judges in several of these countries use the examination results as evidence in court cases and sentence gay men, men who are perceived to be gay and transgender women to prison sentences on the basis of this ‘evidence’;

Noting that the UN Special Rapporteur on Torture and other forms of Cruel, Inhuman and Degrading Treatment has described forced anal examinations as a form of torture or cruel, inhuman and degrading treatment that is “medically worthless”;

Noting that the Independent Forensic Experts Group, composed of forensic medicine specialists from around the world, has determined that “the examination has no value in detecting abnormalities in anal sphincter tone that can be reliably attributed to consensual anal intercourse”;

Noting that the WHO (World Health Organization) and the UNODC (United Nations Office on Drugs and Crime) have denounced forced anal examinations as well as 10 other UN agencies: UNHCHR, UNDP, UNFPA, UNHCR, UNICEF, UNESCO, UNAIDS, UN Women, ILO and WFP;

Noting that forced anal examinations violate the Convention against Torture, the International Covenant on Civil and Political Rights, and the African Convention on Human and Peoples’ Rights;

1. Call on all Criminal Justice Sector Professionals including Police Officers, Prosecutors, Judges and Correctional Officers to abstain from requesting, participating and using forced anal examinations;
2. Urge all Criminal Justice Sector Professionals including Police Officers, Prosecutors, Judges and Correctional officers to advocate with their governments, parliaments and national authorities to officially prohibit such examinations;
3. Call on all Criminal Justice Sector Professionals, including Police Officers, Prosecutors, Judges and Correctional Officers, to adopt an official stance opposing forced anal examinations as unscientific and in violation of medical ethics and fundamental human rights.
4. Urge all governments in countries where same-sex conduct between consenting adults is criminalized, to decriminalize such behavior.

The conference of Criminal Justice Sector Professionals, gathered in Amsterdam on August 3, 4 and 5, 2016