

## “With licence to prevent”: Reflections on *Tackling Torture*, Malcolm Evans’ book on torture prevention

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During the years that have passed since the adoption of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2002, a treaty aiming at strengthening and systematising the prevention of torture and ill-treatment through preventive visits, important publications have seen the light of day, providing legal as well as practical frameworks to these endeavours. Central here is the practical guide on the role of national preventive mechanisms (NPMs) (OHCHR, Professional Training Series no 21<sup>2</sup>), Carver and Handley’s book (2016) “Does Torture Prevention Work?”, and the many statements and reports issued both by the SPT (Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment) and the CPT (European Committee for the Prevention of Torture). With the publication of Malcolm D. Evans’ book, “Tackling Torture. Prevention in Practice” in 2023, we have a resource for this particular area of work, which is a *must*. It is a must whether one is participating in monitoring work – on a national or international level, engages in a legal, health or community context with persons deprived of liberty, as a student or professional, or as one defending human rights in our societies, as activists and civil society organisations, or just plainly interested in the topic.

To describe a book about torture as a page-turner, as exciting and even humorous at times, may be quite unusual, but nevertheless, in the case of “Tackling Torture. Prevention in Practice” by Professor Malcolm D. Evans, we have such a book. Therefore, when I now present this work, which I find so “spot on” regarding prevention, I will do so through my own reflections and reactions, actively using the author’s text and ideas to present it as richly and accurately as possible. Having had the great privilege of being a member of the SPT myself, serving under Evans’ leadership, and experiencing not only numerous

meetings but also several visits together with him, it has been a truly enriching experience to read this book. I will also include a couple of experiences I have had myself from active prevention work.

The book is written with dedication and even passion – and sometimes one can practically feel the physical reactions of the author to what he describes in terms of evil, pain, neglect, indifference, stupidity, as well as possibilities and hope. It is so full of insights, experiences, observations, reflections, critical approaches and deep-rooted knowledge, that I want to say, read it, use it, disseminate it.

Sir Malcom is Professor of Public International Law and was at the University of Bristol till 2023 and is now Principal of Permanent Private Hall, Regent’s Park College, Oxford. He served as a member of the UN Subcommittee on Prevention of Torture (SPT) from 2009. In 2011, he was elected chair of the subcommittee, a position he held until he left the SPT in 2020. For Evans, preventing torture was a strong dedication and his mark will be on this work for the foreseeable future.

The author approaches this wide and complicated subject on many different levels, and he is thorough and crystal clear on all the stops on this scale – from the legal and theoretical – including philosophical reflections on torture, torture prevention and dealing with obligations on one end of this scale – to the very practical on the ground descriptions – which includes so much lived experience and practice on the ground that it turns into very engaging reading. And believe it or not – it must be the only book on torture and torture prevention that manages to elicit laughter, smiles and amazement – this because his examples are so vividly described, and despite the tragic phenomena at the core of this work, the examples – and some of the stupidities in the systems – how this is met and confronted – has huge humorous potentials. And for those who have made such visits themselves, the many recognisable and well-known scenes and observations may evoke both tears and smiles.

The book effectively conveys the motivating force behind the project, the seriousness with which it addresses the topic and the insight it provides into this field. And, as he says himself, he is passionately committed to the cause of prevention (p. 10). He has the critical and at a distance perspective, as well as the talent for seeing the ironic, the paradoxes, and, as mentioned, even the possible humorous aspects.

Among the many points he discusses in this book, he examines the role and power of the protocol in relation to the states and their authority in connection with visits and methods of collaboration with the visiting body. The fact that the protocol allows the committee to visit any of the ratifying states, when the committee itself finds this meaningful and necessary, car-

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<sup>2</sup> Preventing Torture. The Role of National Preventive Mechanism. United Nations. Human Rights.

ries some interesting aspects. The states will always be informed about the planned visit and will be asked to perform preparatory work in relation to practical issues, such as notifying the facilities in general about the visit and ensuring the credentials for members, etc. But they are not informed about the visit programme itself, and they are not in a position to say no or decide on alternative dates. I will mention one example from my own experience in the preparations for a visit to a European country. The state requested a postponement due to a large cultural event scheduled to take place during the period in question. At this, the chair, Malcolm Evans, addressed the committee and with the deepest of sighs, said: Well – as to visits, we *do* have some tolerance and even understanding for situations that may make a visit problematic for the state, such as elections, government break-down, armed conflicts, and natural catastrophes etc – but we have no tradition for evaluating what role the *Eurovision Song Contest* may have in our planning! Well, the result was that the state was not met in their wish for full postponement, but we made some minor adjustments since the song contest might be a competition to us regarding interpreters, cars to hire, etc. But the way this observation was reflected in the committee is difficult to forget. He does not mention this little incident himself in the book. Instead, he points to the existing limitations the state has regarding blocking, postponing, or in any way influencing the planning of the preventive visits.

So, about the book. It is a book about the prohibition and the prevention of torture. It highlights once again the total ban on torture and the fact that “virtually every country has acknowledged that torture is to be forbidden” (p.1). And what the book does is to give life, meat, and substance to efforts to prevent, strengthen and uphold this prohibition.

The book is divided into two parts. Interestingly enough, it starts with “The Solution”, which is the name of the first part of the book, whereas the second part is dedicated to “The Problem”.

The six chapters comprising the first part of the book present a thorough and reflective overview of the issues at hand – the concept of torture, the rationale for prevention, an introduction to the OPCAT, and the implications of its adoption in 2002 and entry into force in 2006. It describes the visiting mandate of the UN SPT, as well as the National Preventive Mechanisms (NPMs), which are fundamental elements of the protocol and the first and important step that ratifying states must take to comply with the obligations under the OPCAT.

These, in many ways, both expected and rather obvious topics in a book about how human rights law, and in particular, a special treaty aiming at preventing torture and ill-treatment, are

dealt with, *not* as straightforward descriptions or reproductions of what exists in the legal texts and academic discussions about torture, prohibition and prevention. Rather, the reader is invited into an ongoing dialogue and an active reflective position. This is an extremely stimulating and fruitful approach. It is the author thinking aloud as he goes along. And while reading this myself, it struck me that the old term “soliloquies” comes into life through this way of presenting the material. Indeed, we do have the author’s thoughts and reflections, as they are brought up, presented, and explained. However, he is sharing, and the reader is practically brought into the discussion, as if we are part of an ongoing conversation with the author, engaging in a sort of dialogue on and with the legal framework and international human rights experts in this field.

The discussion the reader is asked to join is not one “about” this topic – it instead gives you a sensation of being inside it, as it unfolds over the pages. The reflections move elegantly through various positions and disputes. So, one is not reading about something that has taken place or debates that are closed. One is not being presented with lists of provisions, legal statements, or the many conventions, but the reader becomes part of something that is being thought about and reflected upon as one reads. A very special and exciting way of presenting this material. It does not necessarily make it easier to read – sometimes, especially for a reader without a legal background, it must be read over again to grasp the full sense and direction. At the same time – those who have heard Sir Malcolm speak about these issues, whether it is as lectures, as comments and contributions in the context of treaty body work or in more informal settings, one may so easily recognise his ways of dealing with this material – this approach that combines so many different angles, including irony and humour.

From this historical and legal overview, the book proceeds to part II – “The Problem”. And it is this second part of the book that truly brings life to the work on torture prevention. It takes the reader to the absolute basics and the realities of what preventing torture is about – and as the author describes it himself, *it is the insider’s story of preventive visits in practice*.

The second part also consists of six chapters, each of which deals with specific aspects of torture prevention in practice. This is not a text that prescribes or outlines how visits should be done ideally or in the best of worlds, rather it is about what happens when a UN delegation of 4 – 8 persons, counting experts and OHCHR secretariate, travels to countries where most of the participants have never been before, often with long travels and with one main objective in mind, namely visit all sorts of places of detention, speak privately to those who reside in such areas and meet with those responsible for the institutions. Al-

ready, the first paragraphs of this second part set the tone, and the reader is indeed asked to "peek" behind the curtains at what it is like when it happens. And this is where the practicality of the visits is described in vivid terms, bringing out dimensions of the work which are often neither talked about nor discussed – at least not in public – and in particular not among those for whom such visits still are theoretical options given ratification of the OPCAT. The former chair writes (p. 123):

"Hoteliers must have hated us. We were among the worst sort of guests, and at our worst, during breakfast. Just about every member of the delegation would be feeding themselves up for the day on enormous quantities of just about whatever there was to feed on: and then, worst of all - would leave with as much secreted in their bags and pockets as possible. Some limited themselves to fruit, especially bananas (there is a reason for this). Others would be busy making up sandwiches out of rolls, meats and cheeses for themselves and others" (p. 123). The explanation for all this is given further on – visits are often long, to remote parts of the country, there are no eating options in the area, returns to the hotel are often after all kitchens and restaurants are closed, and most delegation members have been hesitant to accept invitations for meals in the places visited. Especially after visiting some of the kitchens and hearing the stories from inmates. After hearing, as I have myself a couple of times, about cockroaches found in the food served to inmates, one is not very tempted to say yes, even to kind invitations to eat. What is then often preferred is to enjoy the food that has been smuggled out from the hotel buffet, in an air-conditioned van, hired for the whole visit, in a quiet place outside the facility visited. So, moving back to the banana - an important ingredient in most SPT visits and as Evans writes, "the fruit of choice for the SPT breakfast buffet thieves". The story is that a banana fits well in the pockets of the UN vest, it is among the few things one is allowed to enter with (of course, cell phones and cameras are among the prohibited gadgets), and finally, "you can peel a banana without touching what you eat" (p. 128). This is valuable when one has wandered for hours in places of detention, where washing options are very limited and the need for some nutrition often emerges, sometimes strongly. The list of all the musts to be covered at visits is a long one, and on paper these tasks seem doable and practical. But what is often the case on the ground? The registers in the institutions, which all handbooks on visits will refer to as something important to review, are often non-existent or unavailable. First, they may be made from paper and kept in conditions that give little protection to the documents. Then, stories about civil war, conflict, and humidity are among the problems encountered. These include issues such as keys that nobody quite knows where they

are, or the person with the key is not to be found, and registries kept geographically far from the place visited. These and other challenges reveal the often-dramatic lack of what one takes for granted – or at least expects to be in place. Some of these challenges are elegantly and truthfully summarized as follows: "you cannot expect people to fill in written registers if they cannot read or write; or to take people in vehicles they do not have, along roads that do not exist to attend courts that are not open; or to lock gates that are not there" (p.169).

Before every visit, the delegation and the members individually have plans, ideas and expectations. However, the number of unexpected experiences during visits is without limit, and these can range from practical stumbling blocks in the visits themselves to being confronted with pain and evil beyond what one can imagine. A book that deals with the prevention of torture cannot be without the gruesome stories, the author rightly points out, but at the same time, he does not want the book to be a "litany of horrors". Nevertheless, the horror is the reality, and it represents the lived experience of far too many locked up in facilities of subhuman character. And what must never be forgotten is that there are some people out there who, in fact, bear the responsibility for the factual situations observed, and even more important, "have the authority and the power to make things different" (p. 139).

And yes, the chapter called "accepting the unacceptable" (chapter 8) is about the extreme human rights violations encountered in far too many places – ranging from consciously inflicted pain to living conditions and treatment that are far beyond what may be accepted – downright unacceptable. Here are the descriptions of overcrowded holding cells at police stations, measuring 4 –5 square meters, and filled with 20–25 men. As there is not enough room for all to lie down at the same time, lying down is done on a rotational basis. No mattresses or blankets on the hard concrete floor, and no toilet or anything like a toilet (p. 140). And not always clear how long the stay in the cell will last, but it could be from 3 to 5 days or longer, according to the local registry, in one of the many places visited and described.

Despite having full rights to enter all areas within detention centres, including hospitals, immigration centres, prisons, and police stations, as well as access to cells, corners, and other sections of the institution, this may still present challenges. For example, attempts at stopping members from entering overcrowded cells without the company of a prison guard, only accompanied by the delegation's own security staff, as is referred to, for reasons of security, are frequent experiences where the delegation ends up entering, with sighs and irritation from those who oversee the keys. Then, the denials of entry into

special areas, such as underground bunkers whose existence is either denied or whose use is clearly redefined, are often met with lengthy discussions. In one case, the author mentions, the delegation's insistence on cutting padlocks manages to gain access. And when this happens, and referring to a specific episode, the members could see with their own eyes that these were not any storage rooms but "a room with a hard metal chair, with a head-restraint and strappings.... an electric chair" (p. 142). When asked about how this was used and for what purpose, the reply was that it was "used for taking photographs for ID cards" (p. 142). But as for the hook attached to the ceiling, and the metal rings bolted to this, no description was ever given.

And one aspect is the conditions persons deprived of liberty are living under – and the often earnestly illegal ways in which they are treated while in these situations – and as the author suggests – "was it ever necessary to handcuff such seriously ill prisoners to their beds, and when out of bed, to their chairs?" And he continues, "but is it really necessary to have ankle and calf restraints which are anchored to the floor and which grip and immobilise the leg applied to all detainees when receiving extended visits from their partners and children in what is designated as a family room and is only available as a 'privilege'? And is it really necessary to conduct full strip and cavity searches of all detainees every time they move through an internal checkpoint within a prison, which simply separates off a reception area from a holding area?" (p. 147).

But visits not only reveal conditions and treatment but also the lack of fundamental legal rights, such as keeping people in remand or pre-trial detention for an indefinite amount of time. The author wants to avoid the "pre-trial" term, as this presupposes that those who are waiting in remand will, in fact, be tried. And this is frequently not the case, and the prisoners may inform the visitors about years without access to lawyers or being taken to court. In addition, the conditions for those not sentenced may be much harsher than those under which the sentenced ones are living. And we understand that it is not necessarily without serious problems in many places. Nevertheless, he refers to differences between these two situations (remand and sentenced) as "staggering" (p. 144).

This chapter also addresses the fact that observations by the UN delegation are to be shared, after each institutional visit, with the directors of the institutions, and towards the end of the stay, with the authorities themselves. The range of reactions from those who receive the observations (preliminary findings) is described – from full denial, attempts to explain or excuse, or even just accepting that this is how it is and that this is how it should be, or at least *must* be. Because, as the author so clearly reminds us of – somebody has the responsibility – somebody

has the knowledge and the capacity for change. To this, he further says, there is no "bright line between accepting the unacceptable and excusing the inexcusable" – but the chief evil lies in the "unquestioning acceptance" (p. 148), – the "just the way things are" (p. 149). And it is here that the preventive bodies – be it the National Preventive Mechanisms or the SPT itself – have such an important role to play. Raising the questions over and over, never accepting that torture and ill-treatment continue to happen, as part of a daily routine, without any attempt to protest or take the practices up for revision .....

And the following chapter dives deeply into exactly this – namely, excusing the inexcusable....and lying about what goes on. For as we can read, why lie about practices that you consider acceptable? Chapter 9 is about not only the deception and lies encountered during visits to places of detention, but also the attempts to excuse and make "acceptable" the violations encountered. And the chapter is full of examples of this, how completely sub-human conditions, such as not providing water, not ensuring bucket or toilets, resulting in cells full of urine and excrement, leaving some cells empty while others were overcrowded and filthy, and then referring to a lack of padlocks as reasons for this state of affairs. Examples also from closed centres for migrants and asylum seekers are described, where cells were overcrowded and few possibilities to leave the cell, and this for people whose crime was but passing borders and wishing for a better life in a new country.

Visits to places of detention, where members take the time and energy to try to understand the "design" of the place and gain a picture of what is happening, may generate insights into ways of treating people that one may think are not possible. Sometimes the cruelty may be obvious and brutal, other times the cruelty is more "refined" and less obvious, but equally evil, and seemingly without a cause. An example of this is a women's section in a prison, and on the surface, this was a lot better equipped than the men's section. The ladies were let out for some hours every day and were allowed to sit on benches on a balcony overlooking the garden and the rest of the institution. But they were prohibited from talking or stepping down from the balcony. So, there they sat, side by side, for hours, in the fresh air, but not allowed to communicate with each other. As Evans writes, "the sum total of what they were permitted to do during the day was to sit in silence watching other people, yards away from them who were free to move to meet and to talk – and to do so day in, day out, year in, year out, it was a very deliberate form of cruelty." (p. 157). The information given to the delegation was that the women were serving life sentences. But – what did that explain? So, the chapter concludes as follows: "There is a difference between a reason and an excuse. And in

the face of torture and ill-treatment, excuses are just not good enough. And there are no acceptable reasons" (p. 163).

The challenge for a monitoring body, with the mandate to visit, see, ask, read documents and speak both to staff and those deprived of liberty, is that, if this is done actively, systematically and in depth, the range of information and impressions one receives may be overwhelming and often include minimal, but important details. The question then arises: how to deal with all this information – how to ensure that it is transmitted in a way that can be followed by action and reform? But the problem is so often – to whom shall this be addressed, who does in fact have the power to do things, who has the will and who is in fact responsible? This may be a complicated picture. As the author rightly says, prevention requires steps and measures on multiple levels. And when telling the "relevant authorities" to take "appropriate action" and providing them with concrete recommendations, it often feels inadequate and impossible. Even if one is convinced that it will not happen anyway, the situation remains difficult. Because – what is actually prevention, and how can it be done? These and other very important reflections on how and what to recommend are very interesting and necessary. And sometimes it will take a lot of creativity to come up with something that in fact may make a difference. So, as it is formulated in the chapter "The only thing that really matters is whether a recommendation makes a meaningful contribution to the prevention of torture or ill-treatment in the context in which it is being made" (s. 163). Worth thinking about – and it does not come by itself. The reference to the context is crucial here. Because the recommendations must be tailored, they must seem relevant and meaningful, and they must entail changes in relation to torture and ill-treatment. They must be feasible and there must be people there who are able – and hopefully willing – to deal with what has been observed, as a basis for recommendations.

The mental exercises that have to be made by visiting bodies aiming at torture prevention are very elegantly described in the chapter rightly called "Working with Fictions". This is about meeting realities on the ground that are very different from what one usually thinks and what one normally expects of one's surrounding – one may, says the author – "it is quite possible to spend a great deal of time and energy visiting a place of detention while not really seeing or understanding what is in front of you at all" (p. 171). There are numerous examples of this. For instance, descriptions of police stations "sobering" up men too drunk to be at home, thus relieving the families of any problem that a night after heavy drinking could lead to. It was the men's family, not the police, who took them to the station. And when they were sober enough, the men were released, and

no charges were made against them. They were provided with a place to stay overnight, and the families were grateful. Perhaps not entirely in line with the book, but on the other hand, quite useful, at least for the families.

Another matter – an extremely serious one – and one that when encountering it for the first time, one may have some problems believing what one hears, namely, the fact that many prisons around the world are to a large extent, perhaps not driven by, but under control of the prisoners themselves. In many places, the situation is that prison gangs dominate the lives in the prison, and the question of who is in charge of the prisons is more complicated than one normally expects. And it raises the question – to whom shall we address the recommendations? Yes, it is true that this situation is usually referred to as a matter of concern in official settings. However, it is not evident how this problem is addressed, or what plans are in place to do so. As the authors confess: "Doubtless naïvely, I was surprised to discover the extent to which in so many prison settings in so many different countries, powerful prisoners were in effect co-opted into the day-to-day running of facilities by the prison authorities themselves. To all intents and purposes, those prisoners became the gaolers, with the single and sole exception that at the end of each day, when all else had been dealt with, they would turn their keys (and they had the keys) on themselves". (p. 175).

I can recall an experience from a prison where we were informed by the prison director that various criminal gangs controlled different sections of the prison, so one had to always take this into account when new prisoners were placed in custody. If he was sent to the wrong place, controlled by competing gangs, his life was not worth much. And when the visiting team wanted to enter one of the buildings or sections of the prison, we were accompanied by police officers, as there were very few regular prison officers in this place. The daily tasks were, after all, carried out and mostly controlled by the different groups of prisoners. But the police opened the outer metal door with their keys, then tapped the door so that the "boss" on the inside would be alerted that they were receiving visitors. The "boss" then opened the inner door with his keys. The police waited on the outside, and we were welcomed in and informed that the moment our visit was over, we would let the boss know, and he would then open the inner door. He would tap the door so that the police could come back and open the outer door. When questioned about the possible situation that the prisoners refused to open, we were told that this would be solved by blowing up the door. The "storm troops" of the police would be in charge of this, so no worries. But nothing of the sort was needed. On the contrary, in an overcrowded prison section, with inmates who had been there for years, often without any

trial, and under living conditions that were difficult to imagine, we met young men who wanted to talk, explain, and ask for help. They received us politely and calmly. This was the part that was the most difficult to understand, as just being there and seeing what I saw brought a lot of anger out in me – at least after I had left the place.

Another aspect of this, as described by Malcolm Evans, is the sad fact that a lot of the inhumane treatment that prisoners are exposed to is often in the hands of their fellow inmates. The inter-prisoner violence may be beyond what those in charge are able to deal with. And they seem to be in no position to do so, even though they ought to, as responsible. Yes, they ought to be in a position to do so. “But that is the fiction. They are simply not” (p. 176). And this holds, unfortunately, true for many examples of conditions that should be addressed with urgency.

One of the crucial areas that should always be visited, examined, and discussed is the health section, including the possibility of health services for prisoners and others deprived of liberty. And this is not only a question about how these services are organised and to what degree they are available to those who need them, but it is also about the professionalism or lack thereof by the medical or health staff themselves. Such as examples from medical records, describing a person as healthy and with no issue of concern, and on a visit, the delegation observes and hears quite different stories – about serious health problems not detected or registered or recent ill-treatment resulting in visible signs of cuts and bruises, not being registered just hours before. Did the doctor overlook them deliberately? Or were they inflicted immediately after?

Visits are valuable in another sense, as they can provide updated information and references to professionals within the system. Unfortunately, these professionals are often less independent from the system than one would like them to be. The lack of information about important tools such as the “Istanbul Protocol”<sup>3</sup> – is also important to note, and visiting teams may raise this issue. This is referred to in this chapter as one of the many challenges surrounding expectations about how things should be. One would expect health professionals to care about those they are meant to serve actively, but this is often not the case. The lack of a framework may be one reason behind this. As the author says, “Nevertheless, the toxic combination of weak legal frameworks, minimal resourcing, hopelessly inadequate numbers of professionals available and an appalling lack

of professionalism by some of those who were, simply has to call into question the practical effectiveness of even these most fundamental of preventive safeguards”. And by this, he points to the disturbing fact that even if the legal safeguard of consulting a doctor is respected, one cannot always ensure that the professionals and the way they tackle the problems represent any form of safeguard.

The way the justice system functions in many places is also among the surprises one may encounter on preventive visits. The discussion here is a fundamental one. In contexts where it seems that all they (authorities) do is to “trace the contours of the rule of law” (p. 179), is it at all useful to visit and recommend to the governmental authorities, when it seems that they are “palpably unable to act as such”? (p. 179). And despite the SPT mandate being very clear on visits as a means for prevention of torture, it may be important to discuss the other tools in the UN toolbox, and perhaps there are others better equipped at this, to be found.

And the rather painful insight, communicated towards the end of this chapter, is precisely directed at ensuring compliance and implementing the protection required under the OPCAT. Because, despite how hard it is to accept this, the author says, one can have the sense that some states ratify, but obviously with no intention of following up on the obligations under the protocol. These are strong words, without doubt. But at the same time, the way the visiting mandate is described in the book, with the many possibilities it in fact has, not least in collaboration with the national bodies (NPMs) – it seems that the only way is to go on – monitoring, questioning, recommending and following up. I think the author would agree on this point.

Because the last chapter is called “Thinking Positively about Prevention”. It is moving from descriptions of the realities encountered to perspectives that take us further into the question of what preventive work is and what we are preventing. And here the relationship between torture and ill-treatment is highlighted, and in a way that I find gives more meaning and sense than a lot of other attempts at describing these concepts. In particular, he challenges the notion of ill-treatment, the way it is often understood and also the tendency to give less attention to forms of ill-treatment not immediately being classified as torture-intended and with a purpose. He provides numerous good examples, inviting the reader to consider the range of cruel acts and contexts that people may encounter. And he argues, “Perhaps there is a good reason why the absolute prohibition is of ‘torture and inhuman or degrading treatment or punishment’. The problem is that we too often forget that this is so or think that things ‘falling short of torture’, as we understand it, are somehow not so bad. They are not ‘not so bad’: they are just

3 For some reason there is not direct reference to the updated version of the Istanbul protocol (IP-22), which has a specific chapter about the role of the professionals, but the important chapter by Vince Iaccopino (correct spelling – typo in Evan’s text) from 2020 is nevertheless referred to.

different – bad in a different way – and are just as prohibited” (p. 187).

The stories one hears about in this work are grim, and the prospects are often depressive. In relation to this, I have myself usually said that if one engages in work with torture and other serious and violent situations, one must be optimistic to be able to keep up the spirit. And I think Malcolm would agree to this.

Because the book ends on a positive note, despite all, it refers to the work towards prevention with the UN *as the art of the possible*. But at the same time, he regrets that he has no “headline-grabbing major and transformative proposals” to present, some “that would change the face of torture prevention” (p. 195). And the reason – there are none!! However, in this closing chapter, he refers to the book by Carver and Handley (2016), reminding us about the tools described therein, and that there are indeed tools that may prove effective in our work for prevention – and in ensuring respect for the prohibition. This is important. Because of the work that Evans has described in his book, the stumbling blocks often encountered and sometimes even problems with understanding whether what we see and hear is true, may give rise to the temptation of giving it all up, declaring the whole project as impossible. But here again, we have a strong closing message from the author, namely that our greatest mission is to do whatever we can to prevent those who can abuse their power over others from being hindered in doing so. “Then, torture prevention simply comes down to

keeping on trying to do whatever you can to make sure that they can’t. And if this is all that all of this achieves, then even if what is done is not enough, it is enough that it is done at all to make all this worthwhile” (p. 197).

This book ploughs up the land or terrain on which we move when we engage in torture prevention. It gives us the sense that no turf is left alone, or no square inch overlooked. Because questions are raised throughout the whole spectrum, and no easy answer is possible. And it takes us through the range of the visiting mandate and its objectives – from the small and lesser hindrances in practical monitoring to the major questions related to power and oppression.

It is, despite what I have also said about this book, a deadly serious document. Because it deals with torture, and the essential international attempts to deal with this, prevent it, protect survivors and hold the responsible to account. It is about the necessity of maintaining this work, strengthening it, and making it more effective. It is also a strong appeal to the member states to fulfil their obligations under the treaty. So, the stories told are grim, but the message is also one of optimism and hope. One cannot do this work if it is without hope or some form of optimism.

The author takes us through numerous different experiences and observations, and the reader is actively engaged by what they read – again on many levels. Yes, it is quite a journey that Sir Malcolm wants us to take part in. And we should.