

# Ensuring torture victims' rights in the global compact

**Up to 40% of refugees and asylum seekers are victims of torture<sup>1</sup> that has catastrophic effects on their physical, psychological and social wellbeing. This can be improved by ensuring a stable and secure environment where they can rebuild their lives.**

Torture has devastating consequences for victims, their families and the broader community. Its severe physical and psychological effects disrupt the lives of victims and often prevent them from continuing their life plan. Clients at IRCT member centres describe their experiences after torture as living in an empty shell, being in a prison without bars, and being unable to imagine a future. They talk about re-living the rape over and over again, about avoiding anything that reminds them of what happened (the asylum interview rooms and the police) about not knowing what happened, and about having a feeling of not being there.

Many torture survivors suffer from chronic physical pain years after their abuse as well as psychological symptoms such as anxiety, depression, withdrawal and self-isolation. They also struggle with cognitive symptoms, including confusion, flashbacks and memory lapses; and neurovegetative symptoms such as fatigue, insomnia and recurrent nightmares. The most frequent psychiatric diagnoses are post-traumatic stress disorder (PTSD) and major depression.

The physical and psychological damage from torture can last for decades and affect several generations. Torture

<sup>1</sup> [https://www.cvt.org/sites/default/files/SurvivorNumberMeta-Analysis\\_Sept2015\\_0.pdf](https://www.cvt.org/sites/default/files/SurvivorNumberMeta-Analysis_Sept2015_0.pdf) and [http://www.rkh.se/PageFiles/5889/ENG\\_Summary\\_Newly%20resettled-refugees-and-asylum-seekers-in-Sweden.pdf](http://www.rkh.se/PageFiles/5889/ENG_Summary_Newly%20resettled-refugees-and-asylum-seekers-in-Sweden.pdf)

survivors may struggle to build interpersonal relations, pursue professional goals or simply continue with their personal development, which is essential to a person's enjoyment of life. In this context children are particularly vulnerable as they often suffer from feelings of guilt or personal responsibility for what may have happened to their parent.

Torture survivors who seek international protection face additional challenges in accessing rehabilitation services in host countries. These are exacerbated when their status is unclear, when reception conditions are inadequate and disempowering and when asylum processes do not take account of their vulnerability. This can prevent them from starting the process of rebuilding their lives and in some circumstance have a re-traumatising effect.

## Rehabilitation for torture survivors

Rehabilitation helps victims rebuild their life after torture through a combination of services including medical, psychological, legal and social support. It is a process that recognises the victims' agency and empowerment and takes into account their individual needs as well as the cultural, social and political background and environment.

Rebuilding your life after your dignity has been attacked takes time. Survivors need to be able to trust and have confidence in health professionals and other caregivers and they need to know that support will be available for them whenever and as long as is needed.

Torture victims have a right to rehabilitation under international human rights law. IRCT rehabilitation centers have decades of experiences supporting refugee torture victims making this right reality and rebuilding their lives in host communities across the world.

However, despite this current efforts by States and other humanitarian actors to support refugees are not adequately responding to the rights and needs of torture victims.

# Recommendations

**In order to rebuild their lives after torture, victims need a stable and secure environment and access to holistic rehabilitation services as early as possible in host countries. The UN Global Compact can take a significant step in realising this right by including the following elements in relevant policies and action plans.**

Establish effective mechanisms to identify torture victim through a combination of 1) initial screening of all asylum seekers for torture trauma through tools such as PROTECT; 2) clinical assessments by health professionals experienced in working with torture trauma; and 3) a full forensic examination of their claims of past torture in accordance with the standards in the Istanbul Protocol where this is relevant for the determination of asylum status.

Ensure adequate reception conditions for any person who show signs of torture trauma in initial screenings. This should consider all material conditions and capacity building of staff and should focus on creating an environment that is conducive to supporting the person to rebuild a life after torture. The aim of these initiatives should be to avoid further re-traumatisation of torture victims and to ensure the fullest possible empowerment of the individual as a key measure in enabling recovery from torture.

Provide early access to holistic rehabilitation services to support torture victims to rebuild their life. Services should be available, accessible and appropriate and states should continuously monitor the effectiveness of rehabilitation programmes to ensure that capacity matches the number of victims and their specific needs.

As a network of more than 150 torture rehabilitation centres in over 70 countries, the IRCT is the world's largest membership-based civil society organisation specialised in the field of torture rehabilitation.

Together our movement is effective in fighting torture across the globe. The core strength of the movement stems from a triad of values: Solidarity, Equality and Democracy.

Our key distinctive feature is a holistic health-based approach to torture rehabilitation. Our diverse membership shares three common characteristics; each member is a legally independent organisation that is rooted in civil society and each provides rehabilitation services to at least 50 torture victims annually. All of our members are committed to the global movement, and its mission to further the right to rehabilitation of every torture victim.

Asylum decision-making processes must offer the individual an effective remedy to ensure quality in the decision making. This implies that States must adapt their decision-making processes to take into account vulnerabilities, in particular pre-existing psychological trauma, that may affect the persons' ability to effectively engage with standard procedures. This is particularly relevant in the context of asylum processes that rely extensively on credibility assessment - a methodology that often produces false negatives when applied to persons with psychological trauma such as PTSD .