

Lesson Series 20

Supplementary lesson on Torture and the Need for Reform of the Prosecution System

In our series of lessons we have discussed the issue of Torture in Lesson Series 7: "Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment"

The following questions offer a way to discuss the issue of torture at community level and suggest actions can be taken to help victims and also to prevent torture. As is the case for many other human rights violations in Asian countries, the importance of reform of the prosecution and judicial systems is stressed.

Important issues regarding elimination of torture

1. Are there laws in your country that protect citizens from torture?
 - In the Criminal code?
 - Are there legal means to enforce UN convention Against Torture etc.?
2. What mechanisms exist to complain about torture by police?
 - Any special police unit to receive such complaints
 - Any special branch of government- example- some countries have special ministerial committees, parliamentary committees
 - National Human Rights Commission- how does it function on this matter
For example some countries have twenty four hour Tel. Service to receive complaints- the officers of the commission visit the places of detention-
3. What medical facilities exist for victims to be examined for the purpose of submitting reports on the injuries-
 - Is there any laws on the matter?
 - What are practices?
 - Are the police afraid?
 - Any other observations?
 - What reforms do you think are necessary?
4. What is the quality of the police?
 - Qualification?
 - Training?
 - Quality of training schools?
 - Integrity and independence?
 - Do the higher officers try to uphold discipline?
 - Is there a disciplinary code?
 - What reforms do you think are necessary?

(b). How to educate police on this issue?

 - By Instructions
 - By social pressures
5. What is the quality of the Prosecutions system?
 - Qualification?
 - Training?
 - Integrity and independence?
 - Has there been prosecutions on any torture cases?
 - What reforms do you think are necessary?

6. What is the quality of the Judiciary system?
 - Qualification?
 - Training ?
 - Integrity and independence ?
 - What is judicial attitude to torture?
 - What reforms do you think are necessary?
7. How to create creative consensus on this issue for social transformation on this issue?
8. How to get the governments to listen to the voices of the people? What voices are there on this issue?
9. What are the cultural attitudes regarding torture?
 - It is bad therefore should be eliminated?
 - It is bad, but people are powerless to prevent it?
 - It is good for discipline?
 - It is good for security?
10. Why do people not complain?
 - Due to fear?
 - Due lack of trust that nothing will happen?
 - Due to absence of knowledge?
 - Due to no social support groups to help?
11. What are the methods of protection available to victims for confidentiality?
 - Legally
 - Socially
12. What protection is available for treatment –physically and mentally?

Part TWO : Community actions regarding torture

What community actions are there in your country/and your own locality **to respond to** incidents of torture?

For example, in some countries protest rallies are organised when no proper inquiries are conducted. Some people seek the help of international organizations to write to their government to take actions, some use picture postcards and posters to highlight the issue - are there any similar actions undertaken in your country?

What do **community organizations** do to **educate** people about rights- particularly rights against torture?

It is now part of school education in some countries- Some community centres distribute written materials on these issues for public education- in some countries, Radio and TV media are used to broadcast information on Torture and what can be done.

What can **Religious organizations** do?

Some bishops' conferences have issued official letters to their faithful on this issue, showing opposition to torture. Some have issued statements on particular issues; some religious leaders have written to the police and political authorities in times of violations; some religious newspapers have tried to promote these rights through publications; some have tried to educate their justice and peace groups on how to work on torture. Many interfaith actions have been developed for this purpose and there are many other things that that can be done.

What is done in your country in this regard?

Helping Victims

What has been done in this regard in your country at community level?

Some groups in some countries provide trauma counseling to victims and families; some provide safe shelters / houses etc. in times of trouble to provide security to the victims. Some provide financial and other material support for medical care and similar things; some help children of victims and there are other actions.

What has been done in this regard in your country?

NGO Action

In some countries NGOS have trained activists to deal with trauma counseling and rehabilitation.

Some provide free legal services to victims; this includes para-legal assistance to help victims to pursue their cases.

There are NGOs specializing in collecting data on torture and other human rights violations, to be submitted to authorities in their own countries and to international organizations and the UN.

What happens in your country in this regard?

Community involvement in Legal Reforms

To ensure that human rights are respected there are many reforms needed in laws, in the police system, the prosecution system and the judiciary. Reforms are also needed in the Government system. Unless the community gets engaged in this no reform takes place. Thus there are many actions by community groups to raise the civic consciousness of the community. Community leaders lead many actions, make monuments, conduct ceremonies in order to pursue needed changes. Changes in the curriculums in schools and universities to teach, to do research, is also one such aspect.

Are there such actions in your country?

The Folk School approach has been seen as a good means of popular education for raising civic consciousness. In some countries there are full time Schools, other do it by way of seminars and workshops.

Are there any such education initiatives in your country and your locality?

The Women's Movement

Women organizations take a lot of interest in the torture issue, because women are subjected to worst forms of torture - for example rape in police and military custody. They are also subjected to torture in their homes and in the civil society.

Do women's organisations in your country and your locality show such interest?

