



Setting up a training on the Istanbul protocol

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Experiences with the implementation of the protocol

The Istanbul protocol is an interdisciplinary document, reflecting the complex nature of an investigation of alleged torture. Experience accumulated in the last decade in the implementation especially by the International Rehabilitation Council for Torture survivors (IRCT) have shown, that setting and group compositions can vary substantially in trainings. In projects such as the FEAT and IPIP (see www.irct.org) training and implementation strategies have been explored in a number of countries and settings, focusing especially on countries with high prevalence of torture. The Dutch Pharos organization has with the numbers of partners developed and tested trainings with a special focus on the Istanbul protocol in asylum settings in Europe (see also <http://www.pharos.nl/nl/kenniscentrum/algemeen/webshop/product/44/care-full>).

The following text gives a short overview of the wide range of implementation and training aspects.

Specific tools you can find on the ARTIP project website and in the curriculum/overview table can be selected by trainers to shaped an activity based on that practical framework of training activities.

You will find more tools, information and manuals on the websites listed above.

Implementation as a complex process

It should be considered that trainings are only part of a more comprehensive implementation strategy, that might include public awareness rising on human rights in general, torture and the protocol, negotiations with policymakers and local professional umbrella organizations, inclusion of universities and other professional training bodies including those responsible for advanced training such as medical associations. It is important to refer to the official standing of the protocol through its being recommended by those the United Nations and the World Medical Association -Judges and lawyers or special governmental institutions such as asylum courts must be informed and pledged to the protocol. It might be noted, that out of obvious reasons, governments might not or might be difficult to involve in the implementation of the protocol. Professional or non-governmental organizations might in this case be in the main implementation partners. Special models might have to be developed in the shaping of and implementation process, based on the political, legal, and practical situation and might involve different partners and stakeholders. A setting of on-going use of torture and insufficient persecution of perpetrators will require different strategies than a relatively stable country with good institutions preventing the use of torture, but the high number of asylum-seekers that require a different focus and implementation partners.

A special country adaptation, that consists of materials that do not replace the protocol, but offer tools and information to apply it in a specific country or setting (such as asylum procedures or international courts) might be required to offer an efficient base for the process. It should be developed by competent and independent experts, and reflect the agreement of all involved parties including especially independent NGOs. It might include for example a discussion of local legislation on the background of international standards such as the UN convention against torture or the Istanbul protocol, characteristic forms of torture applied commonly in the country and the typical sequelae encountered, or on the standing of medical expertise in the countries asylum procedures. This should also prevent the possible misinterpretation of some aspects by parties in a specific country.

The content of the Istanbul protocol consisting of about 65 pages and several annexes, is structured into general, more legal, medical, psychological and interdisciplinary chapters. Especially the more complex details in these different chapters might be difficult to read for members of different professional groups. Still, it is a general aspect of the protocols strategy, that any training should be as interdisciplinary based as possible. A complete training in the Istanbul protocol will therefore require trainers of different professional backgrounds, even if the group trained would consist only of members of one profession.

The Istanbul protocol as part of a changing field

It should also be considered that the Istanbul protocol cannot be a handbook of all professional, legal and scientific knowledge that could be relevant in the investigation and documentation of torture. The rapid development of the broad range of fields covered by and relevant to the issue cannot be covered by a single project or handbook. The protocol is therefore a guiding framework that cannot replace up to date manuals and literature. At least as to the present date, and to the knowledge of the team of ARTIP and IRCT, no revision is planned, as it is expected that the development in the different areas of the subject must be covered by additional materials or standard handbooks of their respective fields.

Especially major changes such as the at present pending new versions of the standard medical diagnostic systems, especially the international classification of diseases provided by the World Health Organization, and the increasing body of guidelines, treaties, and rulings in the legal field must be frequently updated as part of the practical use of the protocols guidelines and framework.

Trainers

Independent professional experts that at first also might include acknowledged specialists from third countries to underline the importance of the issue of torture and the protocol, should be a key element in the teaching process especially in the beginning of implementation efforts.

In an effective implementation strategy and sustainable use of the protocol, the embedding in standard University and training curricula of all professions is seen as the necessary long-term approach, that will enable a wider range of teachers and trainers to teach all aspects of the protocol and related to its subjects and make it a living tool.

As long as no international standard certification process exists, databases of certified or acknowledged trainers by different umbrella organizations or independent projects should be preferred as the source of training resources. Such databases are for example maintained by the IRCT (see www.irct.org), but also by ARTIP (see the ARTIP website).

Examples for training settings and solutions

Groups consisting of participants from the same profession

The short, mainly awareness raising presentation for a group of legal counsellors or other professionals that might not participate in an investigation, but would only be expected to recognize a problem and refer the client to an expert might need only basic presentation of information on the relevance of torture, its documentation, and the need of proper standards as reflected in the protocol. Such events might also be offered to diverse groups such as policymakers.

In other settings, groups consisting of a group of participants with similar professional backgrounds as to vocation and level of expertise might be the main participants. In this case, basic aspects of the “other” parts of the protocol should be included to create a basic awareness and knowledge of these aspects, and improve the understanding of the possibilities and needs of the corresponding partners in an interdisciplinary setting. As noted, in a good training program “guest” experts from the relevant fields should present these materials on level fittings to the capacity and knowledge of the participants.

Based on the very diverse backgrounds as to practical work setting and background experience, it is not realistic to provide one universal standard program to teach the Istanbul Protocol even in a group of participants from the same profession.

Participants who are experienced in forensic documentation and work with trauma victims on a day-to-day base will require a different focus and selection of materials than the group who at times will examine a torture victim and provide documentation for a later more comprehensive examination, such as family physicians in countries with low numbers of torture survivors. For such participants basic information on the differences between the usual diagnostic procedures and forensic priorities need to be included in the training. For lawyers with no experience in joint preparation of a case using medical evidence, general rules and limitations of such evidence might be a key issue to be covered.

Groups consisting of participants from different professions

The best setting to develop knowledge and capacity in the actual use of the guidelines of the protocol are trainings bringing together professionals from the different backgrounds that have to collaborate efficiently in an effective investigation.

Besides general and technical knowledge about the different fields such as especially the ethical, legal medical and psychological aspects of the protocol, experience in at least simulated cases and the concrete collaboration with other professional fields (frequently described as “COLE”, collaborative learning approach) are the preferred settings of choice in the implementation of the protocol. A special small guideline text covers this key element of training in the Istanbul protocol.