

The Istanbul Protocol

A “gold standard” for the documentation of alleged torture and other ill-treatment.

Although the Istanbul Protocol has already been adopted by the UN Commission for Human Rights as well as by the General Assembly as early as 1999 and although it has been acknowledged as a gold standard when it comes to documenting torture and other forms of ill-treatment, it has yet to be discovered by professionals work-

to conduct an investigation, including advice on how to interview victims, to a description of the physical and psychological sequelae of torture and their diagnosis.¹

Although the manual’s main aim is to bring perpetrators to court by showing on how to collect evidence that will

The broad purpose of the investigation is to establish the facts relating to alleged incidents of torture, with a view to identifying those responsible for the incidents and facilitating their prosecution (...).

Istanbul Protocol, p. 17

ing in the field of Human Rights. For this reason it may be worth saying a few words introducing this document.

The “Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment” was developed out of practical necessity and with the practitioner and his field-work in mind. Therefore it contains extensive information, ranging from how

be legally valid before court, this evidence could also be used for other purposes.

During the last decade a number of projects have been carried out to train people (mainly lawyers and doctors) in using this manual. But so far these efforts have been focused on countries with a systematic pattern of torture and ill-treatment only. Therefore the ART-IP project aims at

What is ART-IP?

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The acronym ART-IP stands for “Awareness Raising and Training Measures for the Istanbul Protocol in Europe.”

Purpose of this project is to increase the knowledge and actual usage of the Istanbul Protocol, an UN-adopted manual for the investigation and documentation of cases of alleged torture and other forms of ill-treatment, in European countries.

Under the lead of Vienna Medical University a series of educational material will be prepared to reach that purpose. Via a website and several dissemination events this material will further be provided and presented to a professional audience. Moreover the public will be informed about progression of the project by this newsletter.

The project is kindly funded by the European Union’s “Leonardo”-Programme for Lifelong Learning.

also training people in European countries regarding all aspects covered by the Istanbul Protocol.

¹ For a comprehensive overview of the history and the contents of the Istanbul Protocol see Furtmayr/Frewer: Documentation of torture

and the *Istanbul Protocol*: applied medical ethics. In: *Med Health Care and Philos* (2010) 13:279-286.

Why document torture in Europe?

Target groups of the ART-IP project and why documenting legal evidence is meaningful

At first sight it might not be that obvious why torture should be legally documented in Europe, where torture presumably does not take place anymore. But when having a closer look, many good reasons reveal themselves:

A thorough documentation of legal evidence for torture and other forms of ill-treatment

- acknowledges the suffering of the victims and might help them to overcome isolation. This could already be a first step towards “healing by justice”.
- enhances the chance for victims to be granted asylum in safe countries. This is an important step towards reassurance for the victims and might even be life-saving in case they have to face repressions in their home country.
- points clearly to human rights violations in countries of origin. Regarding the fact that most countries have signed the

Convention against Torture and similar documents, this may have a high moral impact.

- gives victims the means to prosecute perpetrators in national courts in their home countries, once the current legal situation allows for a trial.
- possibly allows direct prosecution of perpetrators in the face of the ongoing internationalization of criminal law.
- widens the knowledge about torture and other forms of ill-treatment. This might help on every level, from treatment of survivors to monitoring human rights violations to criminal prosecution.
- calls attention to the fact that probably torture is very rare in Europe, but that there still might be occurrences of other forms of cruel, inhuman or degrading treatment or punishment.

Taken all these points together (and some more could probably be added), the aim of the ART-

IP project is to raise awareness for the necessity and benefits of a thorough documentation of torture according to the standards set by the Istanbul Protocol.

Therefore the main target groups of the project are the following:

- Legal advisors and legal authorities
- Medical doctors of any profession
- Psychiatrists / Psychologists
- Decision makers in asylum procedures
- Treatment centres and their staff
- Civil society organisations and all people generally working in the field of human rights

*We would be very pleased if you are interested in our project and its further progress. In case you are not and do not want to receive any further information, please let us know.
The next newsletter will introduce the partners of the ART-IP project as well as the newly created website!*

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