

**PSYCHOLOGICAL SUPPORT FOR VICTIMS OF TORTURE
IN THE INTER-AMERICAN SYSTEM
USAID COOPERATIVE AGREEMENT EDG-A-00-02-00030-00**

**QUARTERLY REPORT COVERING THE
PERIOD JULY-SEPTEMBER 2006**

1. GENERAL FRAMEWORK

The main activities carried out during the reporting period (July-September 2006) were related to the litigation of cases, psychological support for a new case incorporated into the project and the preparation of the final publications.

The CEJIL team also received further training. With regard to the activities aimed at sensitizing members of the Inter-American System, on 5 July project coordinator and IIHR official Gilda Pacheco held a meeting with Inter-American Court judge Cecilia Medina, who was in Costa Rica for the LXXI Regular Period of Sessions of the Inter-American Court. Ms. Pacheco briefed the judge about some of the progress made with the project and discussed the judge's view of some of the impacts achieved.

2. ANNUAL GOALS

- Goal 1:** To consolidate, apply and disseminate a methodology for providing comprehensive psychological support to torture victims whose cases are being considered by the bodies of the Inter-American System
- Goal 2:** To influence the development of the jurisprudence of the Inter-American Court of Human Rights and the recommendations or decisions of the Inter-American Commission on Human Rights with regard to psychosocial reparations in torture cases

3. IMPLEMENTATION OF THE PROJECT

3.1. Comprehensive psychological support for victims of torture or their relatives

3.1.1. Description

On 29 September 2006, during the LXXII Regular Period of Sessions of the Inter-American Court, held in San Jose, Costa Rica, the judges granted a public hearing in the case of La Cantuta v. Peru, for which comprehensive psychological support was provided under the project.

During the period under review (July-September 2006), reports were received related to the cases of Servellón García v. Honduras, Heliodoro Portugal v. Panama, and the La Rochela

Massacre v. Colombia. The documents were uploaded to the project's specialized section so the members of the network-team could have access to them.

Project staff also continued to maintain contact with the members of the network-team by email, to facilitate information sharing and cooperation among them so they provide input for the ongoing psychological support efforts, and to keep them abreast of the progress being made with new cases.

3.1.2 Method

The litigation strategy employed in the case of La Cantuta v. Peru did not call for the presentation of written expert evidence as part of the psychological support process. However, the team felt it very important that the victims (three relatives of people who disappeared following the acts committed in La Cantuta) receive psychological support during their participation in the hearings. The respective report is now being prepared.

The preparatory activities for the litigation process in the case of La Cantuta v. Peru included deciding which professionals would provide psychological support in the case. CEJIL and the IIHR made the decision together and also determined the best strategy to use. Ms. Rosa Lia Chauca was chosen to provide the psychological support for the public hearings of the Court. A Peruvian citizen and a member of the REDINFA organization, she had already been assisting the victims since February 2006, at the request of the Asociación Pro Derechos Humanos (APRODEH), the co-petitioner in the case.

Since Ms. Chauca is not a member of the network-team, the project decided to instruct Ms. Pilar Raffo, who also lives in Lima, Peru and is a member, to meet with her to familiarize her with the methodology for supporting victims being used under the project.

Providing psychological support for this case called for coordination between the psychological expert and the respective legal team.

Following the public hearing on 29 September, the victims who gave evidence, Ms. Chauca and a lawyer from the APRODEH team (Gloria Cano) all took part in a meeting with the IIHR team in charge of the project to evaluate the quality of the support provided. The victims were very happy with the support they received and stressed the importance of processes of this kind. They said it was a great help to them as they underwent the extremely painful experience of giving evidence before an international court regarding the death and disappearance of their loved ones.

3.1.3. Background / Rationale

Throughout the project, the network-team of specialists has used and enhanced the proposed methodology for providing comprehensive support to victims in the Inter-American System. In providing comprehensive psychological support, the network-team can draw on the theoretical and methodological tools available in the specialized section of the website. They can also share information and discuss aspects of their work with each other and with the IIHR staff members in charge of the project.

3.1.4. Institution(s) responsible and coordination

The IIHR is responsible for facilitating the psychological support to torture victims in the Inter-American System. The IIHR and CEJIL decide together which specialists to assign to the cases and in which missions they are to take part.

3.1.5. Intermediate steps

- The academic elements of the psychological support process were coordinated and duties and hours were assigned to each specialist in the case of La Cantuta v. Peru
- Logistical matters involved in the specialist taking part in the hearing of the case of La Cantuta v. Peru
- Communication was maintained with the network-team

3.1.6. Results or outputs

- A case being considered by the Inter-American Court benefited from the project's methodology of comprehensive support

3.1.7. Indicators of impact

“Improvement in the quality of the psychological support provided to torture victims granted hearings by the bodies of the Inter-American System”

“Victims more aware of the importance of presenting their case before the Inter-American System”

“More, better-quality documentation on practices for supporting victims of torture”

“More contributions to the comprehensive psychological support methodology”

“The network-team is more knowledgeable about the comprehensive psychological support methodology”

Providing psychological support in a new case took the project further past its goal of contributing to 17 torture cases. A total of 19 cases have now benefited from the project. The project's collection of documents and methodological know-how was also further enhanced.

Means of verification:

- Work plan, case of La Cantuta v. Peru
- Psychological report, case of Heliodoro Portugal v. Panama
- Psychological report, case of Massacre of La Rochela v. Colombia
- Psychological report, case of Servellón García v. Honduras

3.2. Training and support for the CEJIL team

3.2.1. Description

A training event was held 5-7 August in Buenos Aires, Argentina, as part of the capacity-building activities for the CEJIL team. Led by expert Carlos Beristain, it focused on the main

issues raised during the course of the project, such as the handling of torture victims, the psychosocial dynamic involved and the interaction between these issues and those involved in litigating cases. Eighteen lawyers from the CEJIL team took part in this training activity.

An effort involving collective support for the team of the CEJIL Mesoamerica office, based in San Jose, Costa Rica, also got under way, aimed at improving the quality of the psychosocial advisory assistance provided. Designed to benefit six professionals of the CEJIL Mesoamerica team, the activity is being implemented by network-team expert Alicia Neuburger.

3.2.2. Method

To enable the participants in the training activity in Argentina (lawyers from the CEJIL team and directors of programs) to prepare for the event, each received a copy of the reading list.

On 5-6 August, Dr. Beristain and the participants went over the concepts involved in post-traumatic stress or extreme trauma, the mourning process and its different stages. Then they focused on the complexities involved in the role of the victims in the judicial process and the role of their legal representatives, with the emphasis on the psychosocial perspective and the impact of reparations. Finally, they looked at practical aspects of the relationship between lawyers and victims, concluding with a discussion of secondary traumas on 7 August.

The methodology being used for the collective support for the CEJIL Mesoamerica team involves developing an operational discussion group, using group dynamics and role-playing techniques.

3.2.3. Background / Rationale

Thanks to the continuous training that the CEJIL team has received since 2003, the issue of torture now enjoys a higher profile in the Inter-American System. As the organization that is most prominently and heavily involved in the litigation of cases, CEJIL is now more knowledgeable about the subject and better prepared to deal with the issue and communicate its impact to the bodies of the System. Providing training for CEJIL, the organization responsible for litigating 90% of the cases in the System, will directly benefit torture victims.

Throughout the process, the project has continued to focus on issues identified by the team at the outset, with a view to enhancing its knowledge of torture and the special nature of the circumstances in which victims find themselves.

3.2.4. Institution(s) responsible and coordination

The CEJIL team of specialists selects the professionals to take charge of the training and the topics to be addressed.

3.2.5. Intermediate steps

- The regional training for the CEJIL team was planned
- Contact was made with the expert in charge of the collective training for the CEJIL Mesoamerica team
- The logistical and academic aspects of the training activities were prepared

3.2.6. Results or outputs

- 18 lawyers from the CEJIL team benefited from the training process
- 6 professionals from the CEJIL Mesoamerica team benefited from the collective support effort

3.2.7. Impact indicators

“CEJIL team better equipped to handle the psychological aspects of torture cases”

“Legal team better able to provide comprehensive support to torture victims”

“More general knowledge on the international standards for investigating and documenting torture”

The training was designed to enhance the CEJIL team’s expertise and ability to deal with situations arising out of torture cases, and to identify the dynamics involved in continuous work with the victims of serious human rights violations. Having a bigger team trained in these areas will make it possible to undertake more comprehensive litigation processes and this will be to the benefit of the victims.

The different training workshops were led by internationally renowned experts. The entire team of CEJIL lawyers has taken part in the process. In their evaluations of the training sessions, they have stated that they are now better prepared to litigate and handle cases of this kind.

Means of verification:

- Workshop program
- Report by the specialist who gave the training
- Evaluations by the CEJIL team
- Programming of the experience of the operational group
- Report on the experience of the operational group

3.3. Litigation of torture cases in the Inter-American System

3.3.1. Description

During the reporting period (July-September 2006), activities were carried out to prepare visits to the region to document cases included in the project. The project also worked on the preparation of the hearing for the case of La Cantuta v. Peru.

The Inter-American Court also held hearings in which progress was made by cases included in the project.

3.3.2. Method

Preparation and implementation of visits to the region

Several missions were carried out during the period under review.

Two missions were carried out with regard to the case of Marcelino Gómez et al. v. Paraguay (15-18 August and 14-15 September). The case involves the forced disappearance and torture of two young Paraguayans recruited into the army illegally. Meetings also took place with Carlos Portillo, a member of the project network-team, to explain the issues involved in the case to him. He will be providing professional support during the next meeting with the victims' relatives, scheduled for November this year.

In Brazil, a mission was carried out 31 August - 4 September to advance the work plan in the FEBEM S. P. case, included in the project. A working meeting took place with psychologist Paulo Endo, who was assigned to the case. The mission also visited the Complexo do Tatuapé, the facility regarding which the Inter-American Court ordered provisional measures related to this case, based on complaints of violations of the physical integrity of the young people detained there, and met with relatives of some of the minors concerned.

A mission visited Colombia from 3 to 14 September, to work on several cases in which the project is involved. Although the Court has already ruled on many of them, the mission met with the victims and their relatives to ascertain the impact of the reparations ordered and whether specialized support from the network-team might be needed. The victims and relatives involved were made aware of the avenues of action open to them. These meetings involved relatives and victims in the cases of La Rochela, Mapiripán, Wilson Gutiérrez and 19 Merchants, all brought against the State of Colombia.

Hearings before the Inter-American Court

On 4 July, the Court issued another decision regarding the provisional measures it ordered to protect the children and adolescents detained at Complexo do Tatuapé facility of FEBEM, in which it repeated its instructions to the State to "... *periodically supervise the conditions in which the children are detained and their physical and emotional state...*"

On 5 July, the Court issued its judgment in the case of Montero Aranguren et al. (Detention Center of Catia) v. Venezuela. It declared that the State had violated the victims' right to personal integrity, protected under Article 5 of the American Convention, and ordered comprehensive reparations.

The Court also announced that a hearing would be held on 29 September to hear final testimony and arguments in the case of La Cantuta v. Peru. The project immediately began to prepare for the hearing and decided that psychologists would support the victims before, during and after it, since they would be giving evidence.

On 20 and 21 September, the Court deliberated on its decision in the case of Servellón García v. Honduras. This involved allegations of illegal detentions, detention in degrading and inhumane conditions, torture and judicial executions of minors who were the victims of an operation carried out by the security forces. The case was included in the project and details of a mission carried out by Alicia Neuburger were given in the report for April-June 2006.

During this quarter, the Inter-American Court also issued its judgment in the case of Vargas Areco v. Paraguay, included in the project.

3.3.3. Background / Rationale

Litigating these torture cases in the Inter-American System brings the issue to the attention of the protection bodies and provides an opportunity to brief and sensitize the System about the complexity of the problems involved, and to obtain better treatment and greater redress for the victims.

3.3.4. Institution(s) responsible and coordination

CEJIL's team of specialists is in charge of litigating the cases. It coordinates the provision of psychological support for each case with the IIHR.

3.3.5. Intermediate steps

- Preparatory visits made to the region
- Public hearings prepared
- Documentation sent to the Inter-American Court
- Follow-up provided to cases included in the project and the impact of judgments evaluated with the victims in three cases

3.3.6. Results or outputs

- Litigation of a case of torture before the Inter-American Court
- Documentation and progress in preparing the arguments for two torture cases to be litigated in the Inter-American System

3.3.7. Impact indicators

“Progress with the torture cases being processed by the bodies of the Inter-American System”

“The bodies of the Inter-American System are devoting more time and attention to the issue”

Litigating new cases provides further input for the psycho-legal strategies developed over the course of this project and increases the number of torture cases that have benefited from the comprehensive support methodology promoted by the project.

Means of verification:

- Notifications from the Inter-American Court regarding public hearings granted to cases included in the project
- Judgments of the Inter-American Court regarding the cases of Montero Aranguren et al. (Detention Center of Catia) v. Venezuela, Servellón García et al. V. Honduras, and Vargas Areco v. Paraguay.
- Decision issued by the Inter-American Court regarding the provisional measures ordered in the case of FEBEM S. P. v. Brazil.

- Reports on mission to document cases

3.4. Dissemination of information about the project

3.4.1. Description

During the quarter under review (July-September 2006), project staff continued to work hard on the final publications (Guide to the process of providing psychological support, book on psychological contributions to the Inter-American System and the final publication of the project).

3.4.2. Method

In the case of the Guide, the inputs are being incorporated that were produced in the national training workshops held in the first half of 2006 under the Amendment project (continuation of this project in the national contexts), along with the contributions of IIHR lawyers. The revised version will then be forwarded to CEJIL.

A decision was made regarding the design of final project publication and two legal consultants with experience of the Inter-American System were hired to draft a work plan for the research involved in the final publication, under the guidance of the team in charge of executing the project. The work plan was approved by the IIHR and CEJIL, and the work got under way.

The project also continued to work on the book on psychological contributions to the Inter-American System. Most of the eleven articles are now being edited, after being redrafted in group discussions to improve their quality. The others are still being revised and legal and psychosocial contributions incorporated to make them consistent with the experience acquired in implementing the project.

Six of the eleven articles have so far been edited, three are being redrafted to enrich their content and two are being revised by the project's team of psychologists and lawyers.

The following table shows the status of the articles.

Article	Second version received from the authors incorporating recommendations	Read and revised by IIHR team	Final version revised by IIHR team working in a group	Sent to editor	Revised by editor	Editor's version revised by IIHR	Final version for reading in its entirety and comments from editorial committee
Lenguaje interdisciplinario... A. Neuburger, V. Rodríguez							
Acompañamiento psicológico y terapia... P. Raffo							
Agotamiento de los recursos jurídicos internos... G.	<i>Being restructured</i>						

Pacheco							
Tortura. A. Deutsch							
Desaparición forzada. D. Munzcek	<i>Being restructured</i>						
Proceso de duelo. C. Portillo	<i>Revised by the team and the philologist but now being restructured because it is</i>	<i>further development</i>					
Impunidad. C. Bottinelli.							
Reparaciones ... G. Guillis, CELS							
Víctimas de masacres y reparaciones colectivas ... N. Gómez							
Papel del Estado y de las ONG... M. I. Castle, ILAS							
Rol de los familiares: de víctimas... J. Buitrago, advisory assistance M. Salazar							

3.4.3. Background / Rationale

In producing these publications, the aim is to disseminate the experience acquired by the project throughout its execution, and knowledge of aspects of the psychological support methodology in the Inter-American System and the coordination of psychological and legal initiatives.

3.4.4. Institution(s) responsible and coordination

The IIHR team is responsible for editing and publishing the book on psychological contributions to the Inter-American System.

The IIHR and CEJIL are responsible for the joint publication of the Guide to providing psychological support to torture victims and the final project publication.

3.4.5. Intermediate steps

- Specialized articles revised and edited and psychosocial and legal contributions incorporated
- New contributions incorporated into the draft of the Guide to providing psychological support to torture victims (IIHR)
- Work plan for the final publication drafted

3.4.6. Results or outputs

The outputs are now being edited for publication.

3.4.7. Impact indicators

“More people understand the psychological impact of torture and support methodologies”

“Stakeholders have more access to the theoretical and methodological tools produced by the network-team (Guide and publications)”

The publications being prepared are designed to help more people understand the issues involved in torture cases in the Inter-American System and have a strategic impact on the protection bodies of the Inter-American System by sensitizing them to, and increasing their knowledge of, those issues. The Guide is also expected to have an impact on the implementation of more effective methodologies for dealing with torture victims who seek justice.

The final project publication will make it possible to disseminate the project’s achievements widely and will also provide important methodological and reference material for people involved in supporting torture victims, especially in judicial processes.

Means of verification:

- Log of meetings held to revise the second version of the specialized articles
- Edited articles
- Draft of the Guide with input incorporated
- Document with the structure of the final publication
- Contracts of consultants who will support the research process for the final publication

4. LESSONS LEARNED

During the reporting period (July-September 2006), the staff realized just how important it is to work hard on the publications, since they will make it possible to disseminate widely the impact of the project and, especially, the innovative methodology it has promoted.

The meeting with the victims of the case of La Cantuta v. Peru confirmed how important it is for victims to receive emotional support during the litigation of cases. The psychological support process is especially important for victims of serious human rights violations (e.g., torture, massacres, forced disappearance) and their relatives who decide to seek justice.