

# Reflections on an international engagement in the fight against torture

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## Abstract

The author describes some of the early beginning of the RCT and Torture Journal.

*Keywords:* torture journal, history of torture.

Being born just before the Second World War I, grew up and matured at a time when internationalism developed enormously. In addition to that, the international human rights movement was also beginning and growing at the time, and as a journalist, I began to work with Danish NGOs (Amnesty International, the Danish UN Federation and European Movement Denmark). Later, as a journalist, I worked for many years as a correspondent for Ritzaus, the national Danish news agency.

Among other events, I proudly attended and reported from the foundation of the International Center for Treatment of Torture Victims in 1982, in my home city – Copenhagen. At the time of inauguration, the centre was in the premises of a big Danish hospital, the *Rigshospitalet*.

Living close to the building, I often remember many encounters with Dr. Inge Genefke, the idealistic young neurologist who had initiated, what for long should be known as the RCT – today with a new name: Dignity. Dr. Genefke proposed me to join the team to have a journalist who would edit what would be a new international magazine informing about the work

of alleviating the sufferings of torture victims. The editorial board consisted of doctors related to a field that was new in the medical world.

We met regularly and agreed on the distribution of tasks and how to develop the magazine. As the need for treatment grew all over the world the Copenhagen based centre became an important focal point in widespread and international dispersion of knowledge of torture victim treatment. Quite a few Danish doctors learned the treatment, consequently RCT developed the research part of the centre tremendously, reducing the number of individual torture victims being treated here.

Dr. Genefke encountered initially some problems with medical colleagues that didn't have the same strong idealism driven by a wish to alleviate the plight of torture victims – they basically feared political implications. She herself had founded a medical group within Amnesty International already in 1974 and couldn't escape a feeling of moral obligation to act.

In international law *torture*, was not forbidden until a clause in the European Convention on Human Rights of 1950 mentioned it. The UN Declaration on Human Rights of 1948 mentioned the notion torture but with no binding effect on the states supporting it. The beginning of the Torture Journal was just some years shortly after the UK versus Ireland case -1978- where the Court found the infa-

mous "five techniques" to be ill-treatment, but not torture. The Convention against torture would come a lot later, in 1984. To say in a few words: those were times in which most of the topics we were covering were in their early definition and thus, the RCT was a place of constant debate.

In this framework, a medical professor, Bent Sørensen (1924-2017), long-time chairman of the RCT, was elected member of both the European and the UN anti-torture committees. As the Optional Protocol was approved, for the first time, members of the European committee had a right to inspect prisons of their own choice. The RCT organised education for police officers in various countries and developed international conferences for the growing number of doctors with demanded knowledge of rehabilitation work for torture victims and spaces for exchanging lessons learned.

I can perfectly remember how Bent Sørensen took the lead of the board of the organisation in a moment of a decisive crisis at the RCT. Various professional groups disagreed with the medical staff on how to run the centre. There was a general lack of management skills. Sørensen, respected medical expert and chief physician for the department of burn wounds at a Copenhagen hospital, became a rock-solid support for Inge Genefke. Eventually, her husband.

Bent also became a kind of "roving ambassador" for the anti-torture cause. He travelled around the world training doctors, instructing prison wardens and doing advocacy work in national and international institutions. I remember his interest, for instance, in the size of prison cells, referring to the judgment in *Kalashnikov vs. Russia* passed by the European Court of Human Rights in 2001, in which confinement of 15 people in a prison cell of 17 square meters was considered degrading treatment in violation of art 3 of the Euro-

pean Human Rights Convention. He tried to use the sentence to advocate for clear rules related to prison conditions.

Being financed by Danish public purse, the Danish government realised that a full separation of the national and international branches was necessary. This was a turmoil that, on the one hand, gripped the organisation, but on the other, was a real wake up call. It must be admitted that not all foreign partners to the Centre followed good governance concerning rules for accounts, which also meant, further crisis with donors that reflected in internal crisis within the RCT, sometimes with painful consequences in terms of people leaving the organisation. But this is a different story.

Some activists combatting the use of torture, spoke in the 1990s about abolishing torture before 2000. This is to illustrate how idealistic we were at that time.

In my opinion, torture and the fight against it could not be approached without taking the protection of the notion of all human rights into consideration. Torture cannot be considered as an isolated element, but part of the overall human rights policy of a country. We know now that we are far beyond that idealist endeavour and the new generation has different but also complex challenges to face. Not to forget the legal side: The European Human Rights Convention, to just put an example, has no provisions on the punishment of torturers, but only rules on satisfactory compensation to the victims which are paid by governments in the individual states according to judgments from the European Human Rights Court. Since 2002, the International Criminal Court (ICC) in The Hague has sentenced a limited amount of people, mostly from African countries. None of the big perpetrators from the Global North has been brought before this court. Only a minor group of governments in the world accept universal or extra-legal juris-

diction for torture crimes. We have, in overall, a framework of impunity<sup>1</sup>

But also democratic Denmark has been forced to account for violation of international obligations concerning torture. During a military operation in Southern Iraq in 2004 Danish soldiers assisted British military posted there on Iraqi invitation. Some inhabitants in the Basra area were captured suspected of rebellion and later transferred to an Iraqi police station where they were seriously maltreated. Many

years later a group of 23 Iraqi men initiated a lawsuit against Denmark and got compensation by the Danish High Court : Denmark was co-responsible as it was more or less common knowledge, that Iraqi authorities were not lenient when people had been detained, although the Supreme Court has recently rejected the demand for compensation.

Nobody is free from torture. The work of the anti-torture organisations must always not be ceased.

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1 More interest should be given to a judgment from January 2022, in which a German High Court in Koblenz sentenced a Syrian torturer Asman Raslan, former colonel and intelligence officer, to life imprisonment for crimes against humanity as co-responsible for the torture of 4,000 prisoners in a prison in the Syrian capital Damascus.