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How visits by the ICRC can help prisoners cope with the effects of traumatic stress

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Role of the International Committee of the Red Cross (ICRC)

On any given day, as a result of war, political crises, or tensions between communities, thousands of people have to leave their ravaged communities and wrecked homes, often losing contact with their next of kin and/or having to mourn their dead. Many end up being detained in frightful conditions. Post-traumatic stress is merely a technical euphemism when it comes to accounting for these countless personal tragedies. Having witnessed 132 years of upheavals in the world, the ICRC has developed legal standards and operational working methods to try to respond to the most urgent needs of these men and women victims of armed conflict or internal violence. More important, it has learned to provide a touch of humanity and to help restore dignity to those in dire need.

This chapter first recalls the historical role and activities of the ICRC in its different fields of operation and within the international community. It will present the reader with an overview of its multifarious activities.

The chapter then reports how ICRC's visits to prisoners can help them to cope with the trauma caused by the many aspects of arrest and detention. It describes the specific methods used by the ICRC to ensure the protection of prisoners, and gives concrete examples from field experience.

Structure and Operation of the ICRC

The International Committee of the Red Cross was set up in 1863 [1] as a result of war and a growing awareness of its effects on individuals. Although the ICRC is international in the scope of its activities, it is a Swiss-run private independent institution, with its headquarters in Geneva, Switzerland. It is independent of all governments, and its actions and decisions are based entirely on humanitarian considerations. At present, the ICRC is represented in about fifty countries on all continents. The total number of staff varies according to operational needs. At the end of 1994, people employed by the ICRC reached a total of approximately 9,890. Of these, 640 worked at

Geneva headquarters, and the rest in the field.

International Humanitarian Law (IHL) and the ICRC's Mandate

The mandate of the ICRC was conferred on it by the community of States. The ICRC traditionally acts to protect and assist victims in situations of armed conflict, international or otherwise, by virtue of the mandate received from the States Party to the 1949 Geneva Conventions [2] and their Additional Protocols of 1977. In situations of internal disturbance in a State or when the requirements and circumstances justify the intervention of a neutral and independent institution (see References [1]), the ICRC may offer its services by keeping with a right of initiative customarily recognized by the international community. At present, the ICRC is active in more than fifty countries, including four international armed conflicts.

The role of the ICRC is twofold. As guardian and promoter of International Humanitarian Law (IHL), it approaches government authorities or armed opposition groups in order to obtain their full respect for IHL. As a humanitarian organization, it offers protection and assistance to the victims of armed conflicts or internal strife, such as detainees, displaced persons, civilians subjected to abuses, wounded persons, and separated families.

The ICRC's Activities: An Integrated Approach

The ICRC's humanitarian action is not sufficient in itself to provide lasting solutions to crises. Until they are reached, such solutions have to be sought within the framework of negotiated political settlements. The ICRC's activities are designed solely to alleviate the suffering of all those affected by disturbances. In order to play this role neutrally and impartially, the ICRC must act independently of political and military considerations. This independence is the best way for the ICRC to obtain the trust of the parties and thence access to all victims.

All the ICRC's activities in its different fields of operation reflect the duality of the organization, which not only intervenes directly but also seeks to prevent the occurrence or recurrence of violations of international humanitarian law through active humanitarian diplomacy. Its independence in relation to the States gives it a special role on the humanitarian scene, at a time when assistance to victims of conflicts tends to be confused with military operations and diplomatic mediation.

Development of and Respect for International Humanitarian Law

The ICRC constantly strives to ensure that belligerents respect their humanitarian commitments. Whenever the situation warrants, the ICRC may also appeal to all the members of the international community to urge the warring parties to meet their obligations. The ICRC seeks to safeguard the victims of international conflict, civil war, and situations of internal disturbances by bringing them protection and assistance, and by taking preventive action such as spreading knowledge of humanitarian law and promoting its development.

Although the dissemination of international humanitarian law is primarily the responsibility of the States, the ICRC, assisted in this task by the National Red Cross and Red Crescent Societies and by their International Federation, has the duty to maintain and disseminate the Fundamental Principles of the Red Cross and Red Crescent Movement as well as to work for the understanding and dissemination of international humanitarian law applicable in armed conflicts.

To supplement the contacts established at headquarters and at its operational delegations, the ICRC has set up a network of regional delegations covering practically all countries not directly affected by armed conflict. In addition, the ICRC, enjoys observer status at the United Nations and contributes to international debates on matters within its mandate and reminds States of their international humanitarian law (IHL) obligations. The ICRC also maintains relations and cooperates

with regional organizations and various NGOs.

Material Assistance and Medical Activities

The primary aim of ICRC relief operations is to protect the lives and health of victims of armed conflict, to alleviate their suffering, and to ensure that the consequences of such a situation - disease, injury or famine - do not jeopardize their future.

In order to attain that goal and to enable the affected population to regain its self-sufficiency, the ICRC may also set up, maintain, or restore community services. It must also make sure at all times that relief supplies are distributed in compliance with the fundamental principles of humanity, impartiality, and neutrality.

The Medical Division plans and supports health activities in the field. These include emergency preparedness, training of personnel, initial assessment of health problems in conflict situations, implementation of medical programs for war victims (the wounded, prisoners, the civilian population, war disabled), and evaluation of the results. ICRC specialists in areas as varied as water supply and sanitation, nutrition, pharmacology, prosthetics, war surgery, and health problems specific to prisoners are assigned worldwide.

Medical activities in the field are not limited to providing medical care or intervening, for example, in areas such as sanitation, nutrition, and rehabilitation. The ICRC also closely follows all developments in methods and means of combat as well as weaponry, in order to assess their effects in humanitarian terms and, whenever necessary, to prepare for the adoption of new rules of humanitarian law.

The Central Tracing Agency (CTA)

The CTA was the first, and is probably the most original and certainly unique body available to the ICRC to meet the needs of persons who have lost all contact with their relatives owing to severe political or military upheavals. Since it came into being in 1870, it has worked incessantly to facilitate the restoration of family links between persons separated as a result of conflict, including displaced persons and prisoners. In 1994, it forwarded over seven million family messages and located more than 5,000 missing persons on behalf of relatives.

Another of the functions of the CTA is to centralize all information concerning persons who are in particular need of protection, in order to facilitate their identification and to follow up their cases in the field. It also plays a predominant role in the follow-up of prisoners and presumed detainees.

Protection of the Civilian Population

Ever since the Spanish Civil War [3], conflicts have demonstrated the increasingly heavy price paid by the civilian population and the need to introduce operational protection mechanisms. This question is now more topical than ever. International humanitarian law is based on the principle of the immunity of the civilian population: civilians taking no part in the hostilities must never be the object of attacks, but must be spared and protected. The Geneva Conventions [4], and especially their Additional Protocols, contain specific rules intended to protect civilians and civilian property. Whenever necessary, the ICRC reminds the parties to conflict of their obligation, to respect and protect the civilian population, and takes action when the rules protecting civilians are violated. In practice, the ICRC tries to ensure at least the safety and material survival of civilians by gathering complaints, by maintaining a regular presence, by contributing material assistance, and by reporting violations observed in the field with the opposing forces. By maintaining a presence in places where entire populations live under occupation and where individuals or groups of individuals are subjected to abuses, the ICRC tries in various ways to modify the behaviour of combatants or

influence governmental policies which violate humanitarian principles.

Activities Related to the Protection of Prisoners

Visits to prisoners of war and civilian internees [5] or to any other person imprisoned (on security grounds) in crisis situations [6], constitute an important aspect of the ICRC's protection activities [7]. The main purpose of ICRC visits is purely humanitarian. It is to preserve the physical and moral integrity of detainees, to prevent any abuse to which they may be subjected and to ensure decent material conditions to them. It should be emphasized, that it is the responsibility of the authorities to ensure the protection of those it takes into custody, and that they can be held accountable when they fail to do so. ICRC representatives observe the material and psychological conditions of detention and request the authorities to take any steps deemed necessary to improve the detainees' treatment. In cases of emergency, the ICRC provides relief supplies such as medicines, clothing, toilet articles, and food [8]. The second part of this chapter will describe and examine ICRC's visits more in detail.

The ICRC and the International Community

The ICRC participates regularly in international fora dealing with all matters related to humanitarian law [9], whenever there is an opportunity to reaffirm respect for such law or there is a need to promote instruments facilitating its implementation.

For this purpose it may act either within the framework of the United Nations and its specialized agencies or within regional organizations [10] or conferences bringing together governments and non-governmental humanitarian organizations. For example, in the particular area of treatment of prisoners, it is represented on a variety of bodies, among which the United Nations Commission on Human Rights, the United Nations Congress on the Prevention of Crime and the Treatment of Offenders [11], the World Medical Association (WMA), the International Council of Prison Medical Services (ICPMS), and others.

The psychic trauma of the prisoner and the ICRC's response

Days like that stretched from one end of his sentence to the other, three thousand six hundred and fifty-three of them. The three extra days were for the leap-years.

A. Solzhenitsyn, *A Day in the Life of Ivan Denisovich*

The change from being a free individual to being a prisoner means the loss of all points of reference, a sudden plunge into an unknown world where all the rules are different and values are unfamiliar. Once he or she has been withdrawn from the world, an individual, suddenly deprived of freedom, becomes extremely vulnerable. Imprisonment constitutes a fundamental change for all individuals, even if they are prepared and resilient. Moreover, in situations of crisis or armed conflict, the arrest of human beings and their imprisonment are often accompanied by many forms of abuse, which only aggravate prisoners' stress.

The ICRC does not provide medical treatment or psychiatric treatment per se for prisoners but the visits carried out during imprisonment and particularly during or immediately after the interrogation period help the prisoner to cope with stress and may avert the occurrence of psychological trauma. In addition, this activity is aimed at limiting as much as possible some of the main causes of prisoners' stress, by regularly making concrete recommendations to the detaining authorities.

The following will examine to what extent the efforts of the ICRC can contribute to relieve the psychic suffering of prisoners. In order to understand how visits to prisoners by the ICRC can be effective, it is first necessary to understand which prisoners are visited and the methodology used.

Categories of Persons Visited by the ICRC

In conformity with its mandate, the ICRC deals with any person arrested in connection with an armed conflict, internal strife, or other situations requiring the intervention of a specifically neutral and independent institution [12].

In practice, the persons visited by ICRC representatives are all in varying degrees *victims of violence* in the broad sense. The ICRC makes no distinction between innocent bystanders, specifically targeted groups, and recognized or unrecognized combatants when it visits persons imprisoned in situations of armed conflict. Some of these people may have themselves been the perpetrators of violence, who then found themselves in the hands of the opposing faction. A *guerrillero* or terrorist one day may be seen or actually obtain recognition as a *freedom fighter* the next. This is not for the ICRC to determine. Although common-law prisoners are normally not included in this loose category of *victims of violence*, in some countries, where the prevailing situation leads to the prison population as a whole to be victimized, these prisoners too are included in ICRC visits.

Prisoners are part of the general population that finds itself at risk because of the conflict situation. The reason why the ICRC is concerned with these victims of violence who are behind bars is that people in this particular category are normally not accessible to most other organizations. Prisons and other places of detention are by their very nature considered to be off-limits to outsiders, particularly when there may have been any sort of violence perpetrated on prisoners by their captors.

Apart from prisoners of war [13], who generally constitute a relatively homogeneous prison population but who in fact represent only a minority in 1995 [14], persons captured or arrested in a situation of internal strife will reflect all the splits of a crisis-ridden society and generally make up a very heterogeneous group. The response of these individuals, some of whom are relatively or totally unprepared for such an experience, others of whom on the contrary may be well trained and politically highly motivated, varies enormously according to the circumstances. A respected university professor, a guerrilla fighter who has spent part of his life fighting in the jungle or in hiding and a peasant arrested by chance in the course of a raid do not react in the same way to imprisonment and to privations and will tend to express very different and even contradictory requirements and priorities. The coping mechanisms of these different categories of people against what constitutes various forms of traumatic stress will obviously be very different. The ICRC representative will therefore be trained to listen attentively to each individual prisoner in order to be able to identify the most serious problems.

Specific ICRC Methodology

When it comes to assessing the conditions of detention prevailing in any given country, the working methods of the ICRC differ from those of other organizations that also visit prisoners. To understand what the various benefits of ICRC visits may be for the people who have to cope with traumatizing events, it is necessary to understand fully how these visits work and what they attempt to achieve.

Prevention: Analysis of Situation and Dialogue with Authorities

Preventing acts which are contrary to humanitarian principles such as torture and degrading treatments implies that the ICRC is able to understand and thereby accurately describe such situations. In order to improve matters, the ICRC must be in a position to approach not only the political authorities, but also the whole chain of command of the security or defence forces. Its conclusions will then be based on reliable information and as objective an analysis as possible of the problems involved.

It is not possible to achieve a satisfactory understanding of certain practices or deficiencies without keeping to certain working methods. Free access to detainees and to information needed to understand their plight constitutes one of the cornerstones of the ICRC's preventive action. Apart from gathering physical and material data in the course of visits, such action includes regular, confidential exchanges with prison authorities as well as technical and administrative prison staff.

Bound by its principle of confidentiality [15], the ICRC conducts an inside dialogue with the detaining authorities. While it does not publicly denounce the abuses which it observes or which are reported, it does not remain silent. By accepting the ICRC's presence in places of detention and its working methods, the detaining State or authority tacitly accepts that it is willing to discuss sensitive subjects or problems such as ill-treatment and consents to deal with them. Through this dynamic process, the ICRC becomes the advocate of all prisoners deprived of speech who are the victims of ill-treatment, negligence, or more simply of the penury of the prison system. If the authorities do not abide by these working modalities once the visits have started, the ICRC will suspend its activities until an appropriate agreement has been reached. Finally, if and when all other possibilities have been exhausted, the ICRC may ultimately decide to inform the international community of its decision to suspend the visits and why it has been forced to do so.

By submitting to the authorities its conclusions based on the allegations received directly from the prisoners, the ICRC is in fact enabling them to take a direct part in trying to improve their situation, even while they may still be imprisoned. This participation is in itself a form of empowerment, which contributes to restoring prisoners' self-respect.

The specificity of the ICRC's approach in this respect lies in its refusal to assess a situation according to pre-established standards, and instead to study each case from a broader angle, taking into account all the factors involved.

Private and Confidential Interviews with Prisoners

The interviews in private with prisoners are undoubtedly the mainstay of the methods used by the ICRC in its assessment of their situation and is therefore a procedure which governments or detaining authorities are most reluctant to accept when an authorization to visit is being sought. For the ICRC, the very principle of this type of interview constitutes a *sine qua non* which is not negotiable, either in principle or in the way it is implemented [16].

In order to identify problems related to conditions of detention and a fortiori to document serious abuses in the treatment of prisoners, the first step is to break down the wall of silence. The prisoner's own account, though biased by the trauma he has undergone, by inevitable inaccuracies, exaggerations, or simply differences of perception from one individual to another, remains an essential element without which the ICRC cannot establish a relevant dialogue with the authorities. The experience acquired over the years shows that being content with examining only the visible aspects of a place of detention often leads to overlooking the essentials. Possibly, the most flagrant case illustrating how authorities can *stage* visits to prisoners for outsiders, when these modalities are not respected was the visit to the concentration camp of Theresienstadt [17] during the Second World War.

The ICRC can never fully prevent authorities from *preparing* the visits. Detaining authorities often try to remove *embarrassing* prisoners or to hide any obvious malfunction in the prison. They may use several stratagems for this purpose, such as *briefing* prisoners before a visit and subjecting to reprisals anyone complaining to the ICRC. Nevertheless, thanks to the dozens or even hundreds of private interviews conducted in the course of visits, it is very rare that the prisoner's major concerns or any serious abuses remain undetected.

The countries and conflicts in which ICRC delegates visit prisoners are so varied, that it would seem impossible to describe a *typical* interview. The common denominator, however, is the human element that transcends all differences and barriers. People who have been subjected to violence, arrest, interrogation, isolation, reinterrogation, and the many other phases of imprisonment are under constant traumatic stress, even during the *quiet* phases when they may be alone and unmolested.

Interviews with prisoners take up the greater part of any visit. They can be conducted on a random basis - ward by ward or cell by cell - or according to a specific programme established when preparing for the visit. This will all obviously depend on the problems encountered or expected, on the number of delegates, and on the number of prisoners. In certain cases, however, the ICRC may have to decide to see each and every prisoner every time. This may be the case if torture is one of the main issues, and prisoners are reluctant to ask to see an ICRC representative in private, fearing - whether this is justified or not - reprisals if they single themselves out by such a request. If *everybody* is seen, a suspicious detaining authority has no way of knowing who may have given information to the ICRC.

In other cases, particularly when ill-treatment is not the main issue, ICRC representatives may begin by holding *group interviews* with a certain number of prisoners. This may be a useful means of *breaking the ice* and establishing initial contact. Prisoners are less reluctant to make statements, for example, on the quality of the food in front of other prisoners. Group interviews thus may even be a useful way of dealing with certain general topics of common interest, thereby saving valuable time for personal issues. After a group interview, prisoners who have something to say in private feel more encouraged to request personal interviews.

The length of interviews in private may vary greatly. Obviously more time will be assigned to prisoners kept mostly in isolation, with little or no contact with their families, than to prisoners who receive visits from family and friends twice a week, and first interviews will take more time than follow-up visits. Prisoners who have been seen repeatedly may approach ICRC representatives merely in passing, for a specific item of news, without requesting a formal interview. Although it is difficult to give a *mean duration* for interviews, a fair average estimate should be fifteen to twenty minutes (not counting interpretation, if any). This may seem very short to any outsider, but it must be kept in mind that each prisoner is entitled to an interview, and that time has to be shared so that everyone is given a chance to talk.

Long-term Approach: A Regular Presence in Places of Detention

As may be expected from what has just been said, the value of a *single* visit is limited. It does not allow enough time to build up an objective picture of a given situation. A unique feature of ICRC visits is that they offer prisoners continuity in their follow-up. Faced with a substantial risk of reprisals, no prisoners will venture to raise sensitive issues with an *outsider*, whom they do not know and who they are not sure will return. It is the repetition of visits and the personal ongoing contacts established through the individual interviews in private that ensure this continuum.

The dialogue between the ICRC and prisoners must be set up with patience, building up a sense of trust in one meeting after another. That trust also depends on the absolute certainty that no information, no allegation, or complaint expressed by prisoners in the course of an interview, will be reported to the authorities without their expressed permission. They can be certain that the ICRC will not use the information given in any way that might be to their disadvantage.

The pieces of the "puzzle" will sometimes take time to fall into place before a reasonable idea emerges of what is needed and what can be done. This is why in this type of situation, the ICRC uses relatively stable teams of specialists, who become acquainted with the places visited and their backgrounds, and maintain regular contacts with the inmates and the authorities in charge. Fact-finding missions, which usually visit a prison on a single occasion, try to get as detailed a picture as

possible of the place of detention. The ICRC, by regularly repeating the visits, is in a better position to understand how a prison really functions, how the prisoners live and what they may have gone through. Several visits are needed to understand the internal workings of a prison population, with its own rules, hierarchies, codes and punishments, and its power relationships.

It is not surprising that the ICRC, by maintaining a presence for up to several decades in some countries, may come across new features, and, as a result, would have to update its proposals.

Nevertheless, despite all these safeguards, it must be remembered that the evaluation, albeit gradual, of a prison environment by an outside visiting team entails a number of limitations. Numerous aspects of prison life, and sometimes the detention experience itself, will remain unknown even if the team is very experienced.

Applying Culturally Appropriate Solutions

Besides the universally recognized principles contained in the various international human rights instruments, the values attached to human dignity tend to vary from one country or one continent to another. Violations of these values, particularly at the prisoners' expense are also very differently perceived according to the cultural environment. What may appear perfectly innocuous in one culture, can take on major significance in another. Following are several examples that illustrate this point.

In a particular country, against all local customs and traditions, prisoners may be prevented from washing several times a day or from freely practicing their religion. In one Muslim country, the doors of the toilets used to be unlocked systematically thirty minutes after the first morning prayer. This had the effect of preventing prisoners from carrying out their ritual ablutions. Although this practice had no adverse effect on hygiene, since prisoners were able to wash during the day, it did cause considerable psychological suffering in them. After an effort had been made without success to change the rules, it was finally agreed that plastic buckets would be issued so that prisoners could keep some water with them at night, and carry out the ritual.

In another case, under the pretext of treating all prisoners equally, older prisoners in a traditional society may be compelled to serve younger prisoners, which is humiliating for the elders. Prisoners may also be placed in single cells, where they are accustomed to communal living. The real problems not to be overlooked, such practices require very flexible observation and attentive listening on the part of visiting teams. No pre-set standards can ever anticipate the whole range of possible abuses. Only by carefully listening to all views expressed, taking into account their subjectivity, and then weighing them in light of the overall cultural and social context, can the visitors obtain some idea of the gravity of the injuries and stress to which prisoners are subjected.

This cultural subjectivity may be illustrated by means of a particularly striking example. In a police station in an Asian country, ICRC representatives visited prisoners who had clearly suffered ill-treatment. The prisoners had visibly been beaten and were imprisoned in appallingly overcrowded, filthy conditions. In the course of interviews with them, to the great surprise of the ICRC representatives, the prisoners referred to their plight almost casually. They did, however, dwell at length on the fact that a whole cell had been set aside for the exclusive use of the station chief's boa constrictor, and that they were forced to wash and feed the reptile regularly with great care. This treatment was regarded as an unbearable humiliation, even though the ICRC representatives had first considered the problem to be marginal.

Thanks to their training and especially the experience accumulated in a variety of geographical, cultural, and political environments, ICRC representatives learn not to merely rely on outward appearances, but rather to interpret any signs and hints, and to decode gestures, body language, and speech. The expression of suffering takes on very different forms, and this aspect must not be

neglected or overlooked.

A further element in many cases is the shame people may feel in front of foreigners, when having to admit that they have been cruelly treated by fellow countrymen and women. Raising such issues can, in some cases, be a very sensitive matter which has to be handled with the necessary tact.

Stress Generating Factors Influenced by ICRC Visits

Each repressive system, each culture, and each place of detention gives rise to its own stress factors. Before being able to understand a particular individual's problem, it is vital to analyze his relations with the system around him.

Stages of the Detention Process

In the course of their captivity, prisoners go through different stages of detention, which are each related to different risks and therefore to different stress factors and traumas. From the moment they are arrested or captured, prisoners are filled with fear, the fear of dying or disappearing, the fear of being held in solitary confinement, the fear of being ill-treated, and the terror of having to bear the scars of torture in their flesh for the rest of their lives. Later they will face the struggle for survival, made up of small battles waged day after day. All prisoners are likely, in varying degrees, to experience these doubts and fears.

ICRC representatives try to visit prisoners at each of these different stages of captivity. The importance of visits will vary accordingly, and the urgency of the ICRC's request to visit prisoners following their arrest will depend on the degree of risk to their physical or psychological integrity [18]. These risks may involve summary executions, disappearances, or ill-treatment. Unsatisfactory conditions of detention may be such that they constitute a form of abuse or even torture.

In situations where the rule of law either does not exist or has collapsed, legal appeal mechanisms no longer function and in such cases the ICRC may play a primary role in preserving or restoring a minimum of protection against arbitrary rule. Leaving aside the differences between judicial and administrative systems, the detention process may generally be broken down into three stages:

- * Arrest or capture
- * Interrogation and investigation
- * Long-term incarceration [19]

Arrest or Capture

Alexander Solzhenitsyn describes arrest as: "a blinding light, and a sudden blow which instantly relegate the present to the past, and turn the impossible into an inescapable present" [see reference 3].

"Protection" obviously begins by ensuring that prisoners actually survive their arrest or capture, and do not "disappear". Summary executions and other extra-judicial killings have to be documented if such procedures are to be stopped. As soon as the ICRC has access to prisoners, it will register their identities in order to be able to follow their cases and notify the authorities if they fail to reappear. For prisoners who have been identified in this way, there is also the certainty that an independent body will be able to keep track of them, and that their identity will be recorded outside official registers. The ICRC will also record their transfers, and ensure that prompt action be taken in the event of any problem. The ICRC systematically issues prisoners with an ICRC identity card, which the latter then make a point of carrying about with them, and which they will keep for the whole period of their detention [20]. This document, while it may have no legal value, provides them with a tangible trace of the delegate's visit.

Once the arrest has taken place, the initial stage of captivity is often the most dangerous for prisoners, particularly if no official body acknowledges their arrest. Assuming that they are not killed outright, obtaining this recognition of detention, with as free an access as possible to the places of detention, is a major aspect of the ICRC's work. The ICRC also collects the identities of persons presumed arrested, and submits them systematically to the authorities, to obtain information about their whereabouts.

Transfers of prisoners -often multiple- to subsequent places of detention may be accompanied by beatings and other forms of ill-treatment. Transfers involve not only being moved geographically from one place to another, but often mean changing hands from one detaining authority to a different one. This again entails the risk of the prisoner "disappearing" in the process. In situations where there is serious risk that prisoners might indeed "disappear", that they might be excluded from official detention circuits, or that their physical integrity might be in jeopardy, the individual follow-up of each prisoner brought to the ICRC's attention will mobilize a considerable part of its resources.

Interrogation Phase

The subsequent "interrogation phase" may often involve torture and other forms of cruel, inhuman or degrading treatment, which, for obvious reasons, is the most traumatic phase.

In addition, prisoners will experience the fear of giving themselves away, feelings of guilt in the event of betrayal, and may be forced to watch other persons being tortured or having to listen to their screams. For these reasons, the ICRC insists on obtaining access to detainees as soon as possible after their capture, especially during this critical interrogation phase.

It has also been observed that prolonged detention in provisional places of detention, where detainees do not know what is going to happen to them and where abuses are most likely to occur, are likely to produce the most harmful effects on them. These places may be, for example, interrogation centres, remand prisons, police stations, or military bases. The very nature of temporary centres, where the premises and special regimes of detention [21] are completely unsuited to long-term detention, affects the prisoners' psychological health. Very often, conflict situations produce the collapse of the judicial system, and prisoners may then have to remain in "temporary" detention in these places for months or even years. They may be thereby forgotten, without being interrogated or without having their cases investigated by any judicial authority.

Other factors further debilitate detainees in temporary detention. The constantly changing population in these temporary places, the usual climate of fear and mistrust and the impossibility to settle down properly are but a few of them. The ICRC's policy is to ensure that detainees are transferred as rapidly as possible to premises designed for long-term detention.

Long-term Detention: Adaptation to Prison Life

Once the active interrogation phase is over, the prisoners' stay in the prison system, either under sentence, on remand, or as part of long-term administrative detention, involves many risks, for both their physical and their psychological integrity. It would be wrong to underestimate the wear on prisoners caused by long-term detention, even under so-called "acceptable" conditions. In most cases, serious abuses would have ended by then; the process of adaptation and daily survival strategies begin and become the prisoners' main preoccupation throughout their captivity.

Prisoners who on account of their personality or political status may be subjected to constant harassment or latent threats by the detaining authorities should be identified and followed carefully. Similarly, individuals who feel particularly vulnerable should be given the opportunity to discuss their concern with an outsider. Identifying such individuals then becomes a priority. The ICRC's role

consists not only of looking for preventive protection measures if the risk is confirmed, but also, if necessary, of helping to reassure the prisoners with regard to the real dangers to which they are exposed. From their knowledge of the methods used by the police or armed forces, representatives may be in a better position to assess the risks involved.

Prisoners are also in danger of being themselves cut off from their family environment, either because they have been transferred or because they are far from their homes, or perhaps for fearing that their families may be endangered.

Moreover, prisoners are constantly interacting with their environment, in effect, their fellow prisoners. "Prison society" is *in itself* a factor of stress for security prisoners, whether they are isolated or quartered with common-law prisoners. It is not always easy to understand the effects of a repressive system or those related to the attitude of the detaining authorities. It is even much more complicated to try to work out the dynamics which develop within a prison community. When individual cases are considered, features such as clannishness, gang activity, and tensions between common-law and political prisoners all have to be taken into account. These situations may even lead to the occurrence of "prisoners among prisoners". Visits to these people demonstrate one aspect of the intrinsic usefulness of ICRC visits.

In the types of situation in which the ICRC is engaged, political and social divisions are exacerbated and some categories of prisoners will require special attention. Discriminatory effects may be due to the presence of vulnerable groups (such as women and minors), to sociological factors (social outcasts or psychiatric cases), or to the presence of opposing ethnic groups or minority religious communities. They may also arise from the prevailing conflict, for example, due to the presence of collaborators within the prison or prisoners looked upon as such. This phenomenon is taken up in the next section. There may also be different and antagonistic political factions represented within the prison population. Discrimination may also be the effect of a deliberate policy by the detaining authorities in an effort to exploit existing tensions inside prisons by deliberately mingling hostile ethnic groups.

Some individuals are also very heavily affected by the lack of solidarity networks and may be ostracized by fellow prisoners, being put through daily humiliations, taking the form of restricted access to resources such as food and medical care or an obligation for the victims to carry out the most humiliating chores. Such cases may include "political" prisoners exiled by their fellow inmates to the section holding common-law prisoners. This may occur, for example, when one political faction decides that certain prisoners have become "deviant" and chooses to punish them in this way. Another serious problem is that of minors who are used as "slaves" by the prison population or who become the victims of repeated sexual assaults.

Such ostracized persons are sometimes prevented by their fellow prisoners from approaching ICRC representatives. This adds additional traumatic stress to what the prisoner has already suffered during the period of imprisonment. The ICRC takes this consideration into account by ensuring that every prisoner has a chance to be heard. The psychological isolation, physical violence, and sexual abuse to which these vulnerable persons are subjected may even drive some individuals to deep depression or to suicidal behaviour.

Specific Problems

Two specific examples of the sort of problems which most affect the prisoners and which are often encountered by the ICRC in the course of its visits, particularly in situations of internal conflict, are forced collaboration and indoctrination.

Pressure to Collaborate

While prisoners of war (POWs) and civilian internees under the control of an enemy power enjoy a certain protection against forced collaboration under international humanitarian law in international armed conflicts [22] the matter is less clear-cut in situations of internal conflict or internal disturbances. In such conflicts, prisoners may be, for example, forced by their captors to serve as guides for the army in the course of anti-guerrilla operations. Others may be compelled to infiltrate a revolutionary group or to "betray" former comrades in arms.

These prisoners may have "talked" after breaking down under torture; they may have been tricked or blackmailed into doing so; worse, they may be wrongly presented by the authorities to the rest of the prison population as collaborators, and therefore "traitors". Whatever the reason, and the spectrum here is vast, collaborators in prison live in a hell of their own. The same may apply to many other subcategories of prisoners who are rejected or even persecuted by the others.

When collaboration is obtained through coercion using torture, the ICRC obviously will intervene on behalf of the victims. The issue of collaboration with the authorities is, however, part of the wider problem of the balance between an individual's allegiance to or legal obligations toward the established authority and the defence of his or her own convictions or freedom of conscience. This balance lies outside the ICRC's scope, for the obvious reason of neutrality. This having been said, the pressure to collaborate and the negative effects it can have on prisoners are of direct relevance to the ICRC and are problems frequently faced in the course of visits.

The motivations which lead prisoners to "collaborate" with the authorities are generally complex and very difficult to analyze. The ICRC, because of its policy of remaining outside any political controversy, expresses neither an opinion regarding the nature of collaboration [23], nor even regarding the policy of inducing prisoners to cooperate. Nevertheless, this grey area between freely consented to and forced collaboration is a problem quite often raised in interviews with prisoners. The methods used to induce prisoners to collaborate may include harassment or psychological pressures which are extremely dangerous for their moral integrity and which render them as targets for reprisals.

The ICRC intervenes whenever the methods used may objectively be considered a part of a strategy of ill-treatment, whenever their effects clearly expose the prisoners to risk or whenever they constitute a clear and repeated violation of their will. We feel it necessary to reiterate here the vital role played by interviews in private in ensuring that prisoners exercise their free will.

Problems Related to Indoctrination

Detaining authorities often try to rally prisoners to their own cause or to re-educate them. The objectives of such policies can range from making prisoners more docile to persuading them to make public statements hostile to their own "cause"; or even to take up arms against "their own side". Legal protection against such indoctrination methods differs according to whether the armed conflict is international [24] or not. The ICRC tries to protect not only the physical integrity, but also the moral integrity of prisoners and will intervene whenever indoctrination methods may be deemed to amount to torture or ill-treatment. It will also intervene whenever the authorities apply discriminatory or punitive measures to individuals who resist, or whenever the content of propaganda runs counter to fundamental human rights, such as inducement to racial discrimination. For example, in a country with a very strong religious tradition, prison loudspeakers blazed out Marxist propaganda all day, so that the prisoners could never avoid hearing it. The ICRC took steps to ensure that these broadcasts were limited to certain specific times of the day.

It should be borne in mind, however, that it is not always the authorities who are to blame for indoctrination or for recruitment. The ICRC is sometimes faced with highly-structured groups of prisoners organized around a political or religious ideology and for whom prison life can become an extension of the outside struggle. Individual prisoners, in such cases, may be caught up in an *Orwellian* dilemma between fellow prisoners and the detaining authorities. Political movements within the prison may impose conformity on their members and exercise an extremely heavy form of

authority and leadership. They are often merciless in the justice they mete out to any followers considered to be deviant or seen as politically luke warm. These leaders, who do not necessarily represent the prison population, sometimes knowingly deprive such prisoners of benefits or of the assistance of an organization such as the ICRC. In such cases individuals judged to be "deviant" may find that their access to ICRC representatives is subject to the approval of an internal prisoners' committee, that may plainly forbid them from talking to the ICRC. It may even reject the very principle of private interviews as a means of keeping better control over the prisoners and monopolizing all contacts with the ICRC. Such a committee may decide, for example, that personal subjects, such as family matters, are irrelevant and that prisoners, therefore, should express only political demands to ICRC representatives.

Thus, internal control mechanisms among the prisoners themselves can be extremely strict and amount to a form of totalitarian rule which may not be apparent at first sight. It is also not unusual for the detaining authorities to stay outside the prison walls altogether, leaving the prisoners to their own devices, with all the abuses this may entail.

It is under these circumstances that a conversation with a prisoner takes on its full significance. It is up to the ICRC representatives to spot silent prisoners, who remain by themselves in a corner of their cells and do not dare speak up. Here prisoners have to be protected, if necessary through energetic action. The ICRC is often the only lifeline for prisoners caught in this type of situation who want to request a transfer, to be separated from their fellow prisoners, or simply to talk about the problem. This phenomenon of prisoners indoctrinating other prisoners is an extremely delicate one and has to be approached with a great deal of caution.

Creating the Necessary Conditions for Safeguarding or Restoring Personal Dignity

Regular visits by a humanitarian organization cannot completely erase the effects of detention or resulting traumas. The few points made above show how complex the problem of responding to a prisoner's traumatic stress can be. Furthermore, the ICRC's specific constraints arising from the large number of individuals to be protected do not always allow for a personal, in-depth approach.

Stopping and preventing abuse of all kinds against vulnerable persons such as prisoners constitutes the main reason for the ICRC's presence in places of detention. Furthermore, ensuring that material conditions are adequate, in particular that basic essentials are available, can also be an important factor in combating the effects of stress. However, restoring personal dignity does not depend merely on improving material conditions or trying to eradicate torture. It is in this sense that ICRC visits to prisoners have an extremely important "side-effect", and can contribute in various ways to alleviate the consequences of stress.

The effects of torture and traumatic stress have been described in numerous publications (see among others [see references 4, 5]). One characteristic of the traumatic stress endured by prisoners, particularly when interrogation and torture is involved, is that the whole process is often *ongoing* - rather than *post-traumatic*. Prisoners fear for their loved ones, in captivity or left behind. They fear for themselves, lest they be taken back for interrogation, or worse, taken out to "disappear". They sometimes mistrust their fellow prisoners, for fear that there may be collaborators among them, ready to denounce them. Traumatic stress is an everyday reality for these prisoners. Violence suffered during the arrest, particularly when the individual has been subsequently subjected to torture, is violence committed intentionally by human beings. The fact that this type of violence is intentional, makes it more traumatic, and more fraught with negative consequences, than ordeals resulting from "acts of God", such as natural disasters or severe accidents [see references 4,6]. Accordingly, prisoners who have been through such ordeals are subject to *ongoing* traumatization, since everything and everyone in the context of *ongoing* imprisonment constantly reminds them of his or her specific trauma in particular.

Listening to Prisoners : The Essential Role of Outside Contacts

Even though the ICRC's action is aimed at identifying and combating certain practices as a means of furthering general prevention, talking to prisoners is an integral part of its ethical purpose and humanitarian substance. This break in prison life is fundamental at all stages of detention.

It is in this context that ICRC interviews with prisoners can alleviate traumatic stress.

Within this context of trauma and fear, it is common for prisoners to find it difficult or even totally impossible to talk about their experiences. Paradoxically, there is also the absence of an interlocutor. Although prisoners do talk and communicate among themselves in general, they are often reluctant to talk about their traumatic experience to other prisoners. Conversely - and this explains part of the problem - prisoners are also often reluctant to listen to other inmates' stories that may be so very similar to their own. Communication on these problems that needs to take place, is often lacking or insufficient. Even in well-organized groups of very literate political prisoners, for example, who try to organize themselves and talk out their experiences, there is a need for an "outside ear". Family visits, when allowed, do not necessarily accomplish this function, as many prisoners are reluctant to let their family know and worry about what "really" happened to them in detention.

The importance of having someone from the "normal" world willing to listen, someone who shows an interest in the prisoner's plight, is incalculable. This explains why so many prisoners readily describe what they have been through to ICRC delegates, even when they are told that there is precious little that the ICRC will be able to do for them, and that the information will serve as a basis for pre-emptive future rather than retrospective action. This willingness to talk is all the more evident in prisoners who have little or no contact with the outside.

The interview should not be conducted in a bureaucratic way, or, even worse, in an "interrogation-like" fashion. An interview can be spread over several visits, so that progress can be made in stages. ICRC representatives are trained how to listen to prisoners, how to respect the sometimes long silences that punctuate their stories. They have to learn how not to confuse empathy with commiseration.

Although listening may rightly be regarded as the most important phase of the actual contact, the interaction that takes place goes beyond passive listening, however sympathetic the listener may be. "Telling it all" to an outsider, once he or she is identified as someone who cares, may paradoxically be easier than confiding in the inmate next door. Taboos and inhibitions that a prisoner may feel towards fellow prisoners from the same ethnic group, from the same village, or from the same political faction, can often be put aside.

Response to Trauma : Cultural Differences

Without going into details, it can be said that Western and Eastern cultures have different terms of reference when it comes to concepts such as *guilt*, and *shame* [7]. Guilt, more prevalent in Western cultures as a social regulator, can be said to be an internal psychological condition, the punisher being the bad conscience of the individual. Shame, more typical of Eastern cultures, is an interpersonal emotion. When a fault is committed, the reactions of others, and not the individual conscience, are the perceived medium of punishment. Thus, victims from Eastern and Western cultures tend to react to torture in different ways, according to these different terms of reference [25].

In the context of *guilt culture*, having broken down under torture - or "worse", having broken down and talked from *fear* of torture - can be extremely traumatic, even if no one else has suffered as a result of the information given. In such cases, the interaction between the outsider (ICRC) and the

prisoner, in the security of an interview held in private, may enable the prisoner to understand that breaking down under torture is the rule and not the exception. What the prisoner sees as his or her unique case of "treason" can be put in perspective. The inevitability of talking under torture, and how torturers use the ensuing guilt as part of the coercive system, are well-known phenomena. Indeed, inducing false feelings of guilt is one of the objectives of the torturer. The novelty here resides in being able to communicate this to the prisoner while he or she is still in prison, perhaps with no immediate hope of release. Thus, a crucially important message, the keystone of any treatment given in centres for torture victims, can be delivered and explained, while still, in the "belly of the beast".

In the context of *shame culture*, the victim may feel that what has happened during torture should not be revealed to anyone. In this context, the very fact that someone may suspect that the prisoner has been the object of "unacceptable" treatment will render the communication barrier difficult, if not impossible, to surmount. Having ICRC representatives who speak the language and who are well versed in the local culture may help somewhat, but it is most probable that even they only get access to the tip of the iceberg. The positive aspect of human contact nevertheless remains, even if the subject of torture, for example, cannot be discussed. Showing empathy can still be beneficial, even in such circumstances.

From this point of view, it is important that the composition of visiting teams should be suited to the particular social environment and its specific constraints. Doctors, interpreters, ICRC representatives - men and women - all have a precise role to play and qualities to display. Thus, the question of the gender of delegates is often raised whenever men or women intervene in societies or environments where their place or function is traditionally different from those recognized in western countries. Here again it is best to avoid any too rigid solutions, as shown by the following example.

One village elder who had been submitted to various beatings and other forms of brutality told his story to the ICRC delegate. The worst part of the torture, he said with tears in his eyes, was when the soldiers plucked out the hairs of his beard, to humiliate him, the *respected elder*, in front of the *village women*. This story was particularly moving, in that it showed the relativity of torture, and the importance of the psychological component. The old man had been in prison for many years, and had never told his story before to anyone. His problem was having been humiliated in front of women, and yet it was to foreign women - the ICRC representatives - that he poured out his heart for the first time. The interpreter, who was very knowledgeable about the local culture, offered an explanation for the apparent paradox. In the local culture, women were indeed kept at a distance from all that is male. Mothers and sisters, however, were the exception. It was legitimate to pour one's heart on to one's own mother, and in this case the foreign women were seen as mothers and sisters. In the same country, many prisoners told ICRC representatives about their traumatic experiences, even about torture, something they would never have even considered mentioning outside his intimate family.

The Possibility for Prisoners to Express Their Frustrations

The interview in private plays an additional role by acting as a mechanism for releasing pent-up tensions and frustrations. This is the case whether the main issue is ill-treatment and torture or the (bad) quality of the porridge. Less "noble" perhaps than the protective aspect of the visit or the somewhat therapeutic value of "telling one's story", the cathartic release should nevertheless not be overlooked. In the prison, pent-up tensions and anger often have to be suppressed and internalized, or they will be quelled by the prison disciplinary measures. An interview with an ICRC representative can act as a safety valve for "letting off steam". Sometimes, ICRC representatives are insulted or even physically attacked.

Prisoners may complain about the guards, the system, the food, the showers, the medical staff, and fellow inmates. Whether or not these complaints are wholly justified, being able to express them to

someone who listens can be a relief. In some cases venom and not steam can be released. Aggressive prisoners who reproach and rebuke the ICRC for being "soft" on the authorities, for not getting them out of prison, for not "doing enough" for the prisoners are also letting out pent-up tensions, but may also be doing more than that.

The Specific Role of the ICRC Physician

The medical component of ICRC visits to prisoners has been developed elsewhere [see references 8,9]. In the specific case of visits to prisoners who have been tortured, the more direct medical role can be a decisive factor in helping them cope with traumatic stress.

The doctor's tasks during visits include evaluating the medical services available at the place of detention, assessing the general state of health of the prison population, and intervening in medical cases requiring immediate curative action [26]. The physician also plays a very important role in documenting the physical or moral effects of conditions of detention or ill-treatment on prisoners. Due to the doctor's privileged position, he or she is vested with medical authority and expertise, which allows him or her to instruct and advise a prisoner within the special patient-doctor relationship.

The following are some examples, taken from different contexts, to illustrate the more relevant aspects to this chapter, i.e., helping prisoners to cope with traumatic stress in detention.

Breaking down the Wall of Silence

In a country the ICRC visited for the first time, a large number of prisoners had been arrested in the context of internal disturbances. From the very first interviews, it became clear that many of the methods used to interrogate and torment prisoners were quite horrific, their nature scarcely conveyed by the word *torture*. Contrary to usual practice, the very visible scars on the backs of nearly all prisoners were used as a starting point to bring up the subject of torture, as most of them were too afraid to talk about it themselves spontaneously[27].

Normally the marks of ill-treatment are not the only means the ICRC uses to assess the occurrence of torture. In this particular case, the ICRC representatives made a point of stressing that it was *they* who had seen the backs of the prisoners, and not the prisoners who had come forward to show their backs. Most prisoners were referred by other members of the ICRC team to the ICRC physician, because the prisoners wanted to know whether their wounds would eventually heal, whether the pain would go away, etc. The number of beatings, burnings, and scaldings were countless, and there were numerous cases of truly fearful procedures. One of the worst methods, fortunately not the most common, was introducing barbed wire into the rectum through plastic tubing, withdrawing the tube, and then pulling out the barbed wire. All these prisoners were examined individually and medical treatment was obtained for those who needed it.

It should be recalled that the visible scars are most often not the worst, and ICRC representatives are trained to remember that "the worst scars are in the mind" [28].

Explaining Sequelae of Torture

Prisoners can understandably be greatly distressed by possible permanent sequelae of torture. A typical case is that of a male prisoner who had suffered a leg wound from the ill-treatment received during arrest and interrogation. At the request of the ICRC during the first visit, the wound had been treated by medical staff at the nearby local hospital. The ICRC representative had subsequently seen the man on several occasions with the ICRC interpreter, who incidentally happened to be a woman. At the request of the ICRC representative, the ICRC physician was asked to look at the man's wound.

As the interview was about to begin via the interpreter, the doctor, for some reason decided to see the patient alone in a separate room, out of sight and out of earshot of the other delegates. It may have been some slightest trace of emotion in the prisoner's otherwise impassive face, or it may have been simply an inspired hunch, but the physician decided to take the prisoner behind a curtain without the help of the interpreter. Still expecting to examine the leg wound, the doctor then pointed to the bandaged leg, with an inquiring gesture. Whereas the man's expression has hitherto been blank and noncommittal, once alone with the doctor he became intensely emotional, breathing more heavily, wide-eyed and apprehensive, expressing himself with eyes and gestures. His expression became quite distressed, and he was obviously anxious to get a message across. The leg was ignored for the rest of the interview. With what seemed frantic urgency, the man began to mimic what had been done to him. He had visibly been beaten and kicked all over his body, and particularly so in the region of the genitalia. At this point, with a darting glance aside to make sure no one came in, he opened his *sarong* and showed the doctor his wounded manhood, which apart from some discreet swelling, seemed to be intact. He then mimed his principle worry, in a clear and unmistakable way: he was no longer able to have an erection.

Responding to what must have been the doctor's surprise, he again showed, by signs and mimicry, how his genitalia had been battered. Once he clearly realized that his message had been conveyed, his anguish gave way to distress, his eyes obviously pleading with the doctor for some sort of answer. A thorough examination of the genitalia confirmed that there was no physical damage needing immediate care. The most obvious explanation for the man's plight was the psychological trauma caused by the assault, rather than any physical damage. The situation plainly also persisted because of his being in detention. After reassuring him that nothing would be said outside the examination, the doctor led the prisoner back to the group, where he was informed through the interpreter that "nothing was broken" and that "sooner or later everything would go back to normal". In exchanging parting greetings with the doctor there was an unmistakable hint of gratitude in the prisoner's eyes, demonstrating his satisfaction at having been able to communicate his "real problem", despite the language difficulties. This example shows the importance of prisoners being able to confide in someone they can trust.

Sexual Torture

Sexual torture is an aspect of cruel, inhuman, and degrading treatment that is often, for understandable reasons, under-reported. Although both men and women are submitted to sexual assault, a distinction needs to be drawn between them. Sexual torture as such, particularly during interrogation, with its full spectrum of humiliation and violence that can, and often does, culminate in the rape of the victim, is more common with *women* prisoners [see references 4, 10]. In male prisoners, direct violence to sexual organs is more common during this same phase [see references 11,12].

The following case is typical of how the anxieties caused by sexual torture can afflict a person, who seizes the first opportunity given her to find solace and reassurance.

A woman prisoner held in a police station had already been seen twice in the preceding two weeks by a female ICRC delegate, who had established a good rapport with her. The prisoner, a young woman in her early twenties, had apparently been beaten when arrested, but had not said anything else. The delegate somehow suspected "there might be something else", although the woman had not mentioned that she had been tortured. On a subsequent visit, the ICRC physician, a man, accompanied the delegate. The woman in question quietly asked the doctor to have a word with him later. When the doctor saw the woman in private, she timidly, but firmly, told her story. She had been raped by two soldiers during a transfer from one place of detention to another. When the doctor asked why she had not said anything to the ICRC representative who had seen her previously, the woman replied that "this person" could not give her counsel on what to do. Her main fear, which made it possible to surmount her natural apprehension to talk about the subject to a

man, was that she might be carrying the baby of her tormentors.

Based on her account alone, the ICRC doctor was able to assure her she was not pregnant. It was also decided what additional medical measures should be taken to diagnose and prevent any sexually transmissible disease. Most important for her, the doctor was able to reassure her as to her future sexuality, and to answer her very pertinent questions on the whole issue of rape. Although a visit by an ICRC doctor to a male prisoner or a female prisoner who has been raped cannot take account of all the psychological sequelae of such acts, it does give the victim some direct assistance by providing information and counsel for the future which initiate a form of self-empowerment, an essential factor in helping the victim to cope with her trauma while still in prison.

Restoring Family Links and Contacts with the Outside World

Protection against disappearance could arguably be said to be the most important aspect of the ICRC visits. However, the obvious psychological benefits of maintaining links between prisoners and their families on the outside is another essential angle, and a chapter in itself. This is another specific feature of the ICRC, as only a permanent presence in the field, with contacts and mobility - and the authorizations and ability to establish both - make it possible to deliver messages to remote villages from prisoners otherwise held incommunicado from the outside world.

The ICRC enables prisoners to exchange correspondence with their relatives [29], sometimes after years of silence, although often subjected to the censorship of the detaining authorities. It also tries to locate their families thanks to the services of the Central Tracing Agency, and facilitates family visits by providing the necessary logistics [30]. The ICRC thus attempts to restore some link between prisoners and the outside world. For a prisoner under interrogation, for example, knowing that an ICRC representative will be able to visit his or her family and reassure them, and moreover, bring back news from them on the next visit, can be priceless in itself. The psychological boost to a prisoner's morale that this bridge-building brings about is impossible to measure, but it undoubtedly provides useful support for his or her other coping mechanisms.

Promoting Measures to Help Reconstitute a Familiar Environment

Problems of treatment and material conditions are often closely linked. Thus, even apparently innocuous material difficulties, such as prohibitions affecting minor details, may be part of a repressive strategy designed to detract systematically from the dignity of detainees. It is extremely important that ICRC representatives react to such practices and take practical steps to counteract such policy.

This is why, even symbolically and to a partial extent, rebuilding a familiar environment can help maintain a prisoner's morale. Alleviating the daily monotony, proposing concrete measures to restore some measure of privacy, and trying to attenuate other harsh conditions of prison life, are all important factors in helping prisoners to cope with the traumatic stress of detention. As an example, in an extremely overcrowded African prison, it proved nevertheless very important to set aside separate open areas for study and religious services, so that the prisoners could maintain their social cohesion and exercise certain activities in dignity.

Other examples include: negotiating the possibility for prisoners to keep personal effects, authorizing family reunions inside places of detention, submitting requests for longer visiting times, and asking for prisoners to be allowed direct contact with their children.

Restoring even a semblance of *normality* inside the prison and re-establishing some kind of social environment are some of the measures that the ICRC tries to apply systematically and which are the subject of ongoing discussions with the authorities. Follow-up action after visits, which may extend over years, varies considerably according to the circumstances. One frequent obstacle is the

real or imaginary security requirements put forward by the detaining authority. The proposed measures can often be implemented only after long negotiations. Such negotiations may concern what may seem to be only minor improvements, but ones to which the prisoners attach great importance.

Direct material assistance can also be useful in this respect. Apart from immediate emergency operations to deal with, for example, extremely serious shortages of food or other urgent problems, possible practical measures can be implemented. These include the distribution of supplementary material assistance, which can have a symbolic effect. Distributing, for example, special rations for religious festivities, or supplying materials to build a place of worship, can recreate a semblance of normality in the otherwise cold and dehumanized world of a prison. Providing tools and raw materials for making handicrafts, or distributing books or writing material are further examples.

Another way to restore human dignity is by giving prisoners the opportunity to regain the status of which they have been deprived by imprisonment. Thus, the ICRC has sometimes issued prisoners with food rations which the prisoners, "as breadwinners", could pass on to their families during family visits.

Preserving Existing Sets of Balances

Experience has shown that group solidarity is the main factor enabling prisoners to endure their privations and difficulties. A set of balances develops as well between prisoners and the detaining authorities. These can comprise such practices as condoned petty corruption, allowed breaches of discipline, nonofficial privileges, or other arrangements of convenience. It is dangerous to disturb this type of equilibrium without a legitimate reason to do so. Such would be the case if the system led, for example, to cases of flagrant discrimination.

If such relationships, which may be unbalanced, are destroyed or disturbed, the social cohesion within the prison may be endangered. This cohesion constitutes for the prisoners a defence mechanism against the various aggressions of prison life.

Prison life cannot be measured by the standards that apply in an open society. For this reason, any measure proposed must be assessed in the light of the general interest of prisoners and of their own understanding of what that general interest may be.

Conclusion

The protection of detained persons does not lie within the exclusive purview of the ICRC. The United Nations and its specialized agencies, regional organizations as well as many NGOs, are concerned with the plight of prisoners throughout the world and deploy considerable efforts to ensure that the strengthening of human rights also leads to better protection for these individuals.

Some organizations undertake the promotion of standards for the treatment of prisoners. Others denounce violations and abuses perpetrated by States. Yet others develop training programs for law enforcement or penitentiary personnel, to ensure that they operate in accordance with human rights standards. Furthermore, numerous medical institutions are involved in the treatment of former prisoners and other victims of violence, still suffering from the effects of traumatic stress.

The ICRC occupies a special place among these organizations. In addition to its role as guardian and promoter of International Humanitarian Law, it seeks, in the very midst of crisis situations, to protect people who have been rendered vulnerable and to prevent any violation that may be perpetrated against them.

As stated above, the ICRC constantly intervenes on behalf of prisoners, at all levels of authority, so

as to obtain the cessation of any abuses it may have discovered or come across in the course of its visits. In order to obtain direct access to prisoners, at different stages of their captivity, the ICRC deliberately chooses to work in confidentiality.

The discretion that the ICRC habitually exercises in its activities on behalf of vulnerable persons is sometimes misunderstood and even criticized, leaving many people wondering why it does not publicly denounce the violations it has witnessed. The ICRC's principle of working on confidentiality is a strategic choice : the decision to refrain from any public denunciations allows the ICRC considerable internal leverage in its dealings with offending authorities. It is this discretion that allows its representatives a continuing presence with the victims while they are still deprived of their freedom.

The significance of its activities in places of detention is due to its regular presence among prisoners, while they may still be exposed to all sorts of ill-treatment, harsh conditions of detention, and other forms of violence. In addition to combating torture and checking conditions of detention, ICRC visits to prisoners have the benefit of countering certain effects of traumatic stress in three main ways:

- *The visits may turn out to be a "life-saving mechanism".* A prisoner who has been visited by an ICRC representative, and whose identity has been duly registered, feels protected at least from the risk of disappearing without trace.
- *The visits may also have direct psychological benefits for the prisoner.* These may include an exchange of family news - a priceless boon when imprisoned. They may involve receiving medical counsel on the physical sequelae of torture, or advice on how to cope with psychological and psychosomatic effects of stress. In itself, this counselling is not remarkable. What is remarkable about it, is that it is offered to prisoners while they are still in prison, when they may have no access to any other unbiased, independent advice.
- *They provide a unique opportunity for prisoners to verbalize their suffering and anxieties.* This should not be seen merely as providing a "shoulder to cry on". Listening to the individual, and showing empathy in what is otherwise an oppressive environment may, at times, be a crucial break in the traumatic experience. For prisoners, being able to tell their story, if they so choose, is most often helpful, and can possibly reinforce whatever coping mechanisms have otherwise been mobilized.

To avoid any possible detrimental consequences for prisoners, ICRC representatives visiting them must receive specific training. If a prisoner is obviously reluctant to tell his or her traumatic experience, the ICRC believes it is best to refrain from pressuring him or her to do so. It would certainly be wrong to pry open a prisoner's "Pandora's box" of anxieties and memories, without being able to then help him or her to integrate them in a therapeutic way, or at least "close the box up" again. The ICRC cannot, at present, *objectively* (i.e., scientifically) evaluate the positive, and possible negative, effects of visits in this respect. Furthermore, its current operational realities and priorities would seem to exclude the possibility of carrying out research in this area. For future work on this subject, the ICRC will, therefore, need the counsel and expertise of outside specialists in the field of traumatic stress.

To conclude, it would seem appropriate to quote a security detainee visited by the ICRC in a Latin American country :

"It was the first time in that place that I'd met anyone in civilian clothes. I'll never forget that moment. That delegate inspired confidence and made me feel free to speak. He asked me a lot of questions about myself, about my situation, about my family. He didn't take a position one way or another. He just listened. "

Notes

1. The ICRC was set up in 1863 after the Battle of Solferino, in northern Italy, on the initiative of Henry Dunant, around a group of individuals determined to assist and protect the wounded on the battlefield.
2. By 30 June 1995, 185 States were party to the Geneva Conventions, 138 to Additional Protocol I and 128 to Additional Protocol II.
3. The specific targeting of civilian population, generated by the concept of total war is not new in itself. Modern military means of mass destruction have, however, dramatically increased the vulnerability of civilians since the Spanish war.
4. In particular, the Fourth Geneva Convention.
5. Article 126 of the Third Convention and Article 143 of the Fourth Convention.
6. The first visits to security detainees were made in Petrograd 1918 and 1919 in Hungary, under the communist rule of Bela Kun.
7. Protection activities on behalf of prisoners detained in the course of non-international armed conflicts increased significantly after the end of the 1960s during the post-decolonization conflicts, the rise of military dictatorships, and the proliferation of insurrectional movements in the 1970s.
8. In 1994, the ICRC visited 99,000 prisoners in fifty-five different countries.
9. Protection of Children in Humanitarian Law, Antipersonnel Weapons: Landmines and Blinding Weapons, Water and War, Women at War, Applicability of International Humanitarian Law to United Nations Peacekeeping Forces, etc.
10. The ICRC has signed cooperation agreements with the OAU and the Islamic Conference Organization.
11. In 1990, the 8th United Nations Congress on the Prevention of Crime and the Treatment of Offenders, at the ICRC's initiative, adopted a resolution (A/CONF.144/28, page 27) reaffirming the fundamental principles relating to the treatment of prisoners.
12. See Article 5, paragraphs 2d and 3, of the Statutes of the International Red Cross and Red Crescent Movement.
13. In the sense of the Third Geneva Convention.
14. The last major action in favor of prisoners of war (POWS) was in 1991, at the time of the Gulf war.
15. All ICRC reports and communications concerning problems related to detention are strictly confidential. In its public statements, the ICRC confines itself to releasing the number and names of the places visited, the dates of the visits, and the number of people seen. It does not express any opinion on the grounds for detention and does not publicly comment on its findings with regard to material conditions and treatment. If a government should publish incomplete or inaccurate versions of ICRC reports, the ICRC reserves the right to publish and circulate them in full.
16. ICRC furthermore does not allow the authorities to impose the number of prisoners who may

have access to its representatives, the place where the interviews are to be held, or the time allowed for each prisoner.

17. Theresienstadt was a "model" concentration camp used by the Nazis for propaganda purposes to disguise the atrocities perpetrated by the SS against Jews and other populations. Part of the camp was shown in June 1944 to an ICRC representative who was not authorized by the German authorities to talk privately with the Jewish detainees. The ICRC was thus rendered unable to find out the true purpose of the camp and the fate of its inmates. See also [2].

18. In some cases, when the ICRC visits places of detention where abuses are likely to occur, such as police stations or interrogation centres, visits are repeated as often as necessary, sometimes every day.

19. These are not stages in the legal sense of the term.

20. The ICRC's electronic databases hold the records of about one million identities of people who have disappeared, have been detained and may be imprisoned, or who are otherwise being sought by their families. Data concerning prisoners who are being traced, visited, or who have been recently released are constantly being kept up to date.

21. Family visits restricted or banned altogether, prisoners held incommunicado, special security measures, no exercising grounds, etc.

22. Article 31 of the Fourth Geneva Convention and Article 51 of the Third Geneva Convention.

23. Many prisoners freely consent to collaborate with the authorities.

24. In an international armed conflict, prisoners of war and civilian internees are protected from such methods by these legal provisions: Articles 7, 13, 14, 16, 34, 38, 79, 81, 94 and 102 of the Third Convention and Articles 8, 27, 31, 32, 38, 40 and 51 of the Fourth Convention.

25. "A society that teaches absolute standards of morality and relies heavily on the development of conscience is a guilt culture, while in a shame culture the criticism of others is the major sanction, and the breaking of the rules of the group is the major crime." [7]

26. Apart from extremely serious cases requiring emergency action, the ICRC will not take the authorities' place with respect to medical treatment given to prisoners. Requests for treatment or referral to outside hospital care are discussed with the prison doctor and the prison administration.

27. This "physical inspection" method is necessary, and has been used elsewhere as well, when prisoners are too frightened to talk, or when there is the possibility that they have been "briefed" by the detaining authority not to say anything to the ICRC. This can be done ward by ward, and allows the ICRC doctor to get a firsthand view of any visible scarring. Needless to say, this method is used to encourage prisoners to speak out in private.

28. Communication by Prof. Sten Jakobsson, University of Stockholm, Karolinska Institutet, Stockholm at the IVth International Symposium on Torture and the Medical Profession, Budapest, October 1991

29. In 1994, the ICRC has exchanged altogether over 7 million Red Cross messages, some of them between prisoners and their families.

30. This may consist of contributing to the transport costs of prisoners' families, or even providing the transport itself.

References

1. M. Harroff-Tavel, The Action of the International Committee of the Red Cross in Situations of Internal Violence, *International Review of the Red Cross*, 294, pp. 195-220, May-June 1993.
2. F. Bugnion, *Le Comité international de la Croix-Rouge et la protection des victimes de la guerre*, ICRC, Geneva, pp. 224-245, 1995.
3. A. Solzhenitsyn, *The Gulag Archipelago, 1918-1956*, Seuil, Paris, 1974.
4. M. Basoglu et al., *Torture and its Consequences*, Cambridge University Press, 1992.
5. O.V. Rasmussen, Medical Consequences of Torture, *Danish Medical Bulletin*, 1990.
6. C. Scrignar, *Post Traumatic Stress Disorder*, Bruno Press, New Orleans, 1988.
7. G.K. Skylv, *The Nature of Human Experience - Some Interfaces between Anthropology and Psychiatry*, lecture at the Royal Society of Medicine, London, 1992.
8. H. Reyes and R. Russbach, The Role of the Doctor in ICRC Visits to Prisoners, *ICRC review*, 284, pp. 469-482, September-October 1991.
9. H. Reyes, ICRC Visits to Prisoners, *Torture*, 3:2, 1993.
10. I. Unde and J. Ortmann, Prevalence and Sequelae of Sexual Torture, *Lancet*, 336, pp. 289-291, 1990.
11. R. Goldfield, R. Mollica, B. H. Pesavento, and S. V. Farsone, The Physical and Psychological Sequelae of Torture, *JAMA*, 259, pp. 2725-2729, 1988.
12. O. V. Rasmussen, Medical Aspects of Torture, *Danish Medical Bulletin*, 37 (suppl 1), pp. 1-88, 1990.

References not cited in text

Amnesty International Medical Commission, Marange V., *Doctors and Torture: Collaboration or Resistance ?* London Bellew, 1991.

Bøjholm S. et al., *Monitoring the Health and Rehabilitation of Torture Survivors*, Copenhagen: RCT/IRCT (Rehabilitation and Research Centre for Torture Victims), 1992.

Dawson J. and Phillips M., *Doctors' Dilemmas : Medical Ethics and Contemporary Science*, Brighton: The Harvester Press, 1985.

Escobar R.T., *El interrogatorio en la investigación criminal*. Buenos Aires: Editorial Universidad, 1987.

Favez J.C., *Une mission impossible ? Le CICR, les déportations et les camps de concentration*

nazis, Lausanne : Payot, 1988.

Jacobsen L. and Vesti P., *Torture Survivors-a new Group of Patients*, Copenhagen: The Danish Nurses' Organization, 1990.

Kastrup M., Somnier F. and Vesti P., *Psychotherapy with Torture Survivors*, Copenhagen: IRCT, 1992.

Karlshoven F., *Constraints on the Waging of War*, Geneva : ICRC, 1987.

Lauret J-Cl. and Lasierra R., *La Torture Propre*, Paris: Grasset, 1975.

Moreillon J., *The International Committee of the Red Cross and the Protection of Political Detainees*, Geneva : ICRC, extract from the Review of the Red Cross, Nov. 1974 and Apr. 1975.

Nathan T., *La folie des autres: Traité d'ethnopsychiatrie clinique*, Paris: Dunod/Bordas, 1986.

Peters E., *Torture*, Oxford: Basil Blackwell, 1985.

Prout C. and Ross R.N., *Care and Punishment: The Dilemmas of Prison Medicine*, Pittsburgh: University of Pittsburgh Press, 1988.

Rodley N., *The Treatment of Prisoners under International Law*, Oxford: Clarendon Press, 1987.

Smith R., *Prison Health Care*, London: British Medical Association, 1984.

Sommier F. and Genefke I., Psychotherapy for victims of Torture, *British Journal of Psychiatry*, London: vol 149, pp. 323-329, 1986.

Suedfield P., *Psychology and Torture*, New York: Hemisphere Publishing Corporation, 1990.

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