

EMN – RED CROSS EU JOINT INFORM LAUNCH EVENT VICTIMS OF TORTURE AND/OR ILL- TREATMENT

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1. RATIONALE AND AIMS

- Present the European Migration Network (EMN) - Red Cross EU inform on 'Practices and challenges in identifying victims of torture and/or ill-treatment in the context of international and temporary protection'.
- Involve a broader audience of EMN policy officers, practitioners, professionals and academics in a discussion around the practices used to identify and support victims of torture and/or ill-treatment among beneficiaries of international or temporary protection in EMN Member (EU Member States except Denmark) and Observer Countries (NO, GE, MD, UA, ME, AM, RS).

POLICY CONTEXT

Many individuals who flee war and armed conflict around the world, particularly those fleeing persecution, are likely to have experienced trauma, including torture and/or ill-treatment.¹

Asylum seekers and refugees who have suffered torture and/or ill-treatment are among the vulnerable groups referred to in the Common European Asylum System (CEAS) legislative instruments.² Torture and ill-treatment are also prohibited under international law, including

¹ IRCT, 'Falling through the cracks: asylum procedures and reception conditions for torture victims in the European Union', <https://irct.org/wp-content/uploads/2022/08/Falling-Through-the-Cracks-2016.pdf>, last accessed on 12 February 2023.

² Article 20(3) of Directive (EU) 2011/95 of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast) (Qualification Directive), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0095>, last accessed on 12 February 2023; Article 21 of the Directive (EU) 2013/33 of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) (Reception Conditions Directive), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013L0033>, last accessed on 12 February 2023.

the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment³ (hereinafter, victims of torture and/or ill-treatment).

Across the EMN Member and Observer Countries, limited data prevents a comprehensive overview of victims of torture and/or ill-treatment among applicants for international protection.

A report from the International Rehabilitation Council for Torture Victims (IRCT) found that in 2010, around 400 000 torture victims lived in the European Union (EU).⁴ The same report estimated that 30-60% of applicants for international protection seeking medical attention were victims of torture. In 2017, the European Union Agency for Fundamental Rights (FRA) pointed to the limited availability of comprehensive data on victims of torture and/or ill-treatment who arrive in the EU, are identified by the authorities, and go through the asylum procedure in the EU Member States and Schengen associated countries.⁵ This is partly because data on torture and/or ill-treatment can depend on victims' ability and opportunities to self-report.⁶

MOST RELEVANT EMN RESEARCH/FINDINGS

The 2023 EMN – Red Cross EU inform will soon be accessible on the [EMN Website](#). Nevertheless, for ease of reference and to contextualise the event, the main findings of the inform, in terms of practices in both international and temporary protection cases, are briefly presented below.

- With regard to practices in the context of **international protection**, no EMN Member and Observer Country reported a dedicated national training on identifying and detecting victims of torture, although a few countries organise dedicated standalone training sessions on relevant thematic issues. Most EMN Member and Observer Countries rely on training and guidance organised by the European Union Agency for Asylum (EUAA), non-governmental and international organisations to improve their skills in detecting and identifying victims of torture and/or ill-treatment. Most EMN Member and Observer Countries do not have set criteria to trigger a request for medico-legal documentation, but this is established on a case-by-case basis by the case worker or the applicant themselves. EMN Member and Observer Countries mostly rely on guidance from EU actors, international and non-governmental actors to support competent asylum authorities to take medico-legal documentation into account for applications for international protection. For most countries, a significant challenge is the victims' hesitancy to report due to fear, shame or mental health consequences resulting from such violence and the challenge of assessing the credibility of torture claims and the timely acquisition of accessible medico-legal documentation by authorities. Amongst the good practices observed are fostering strong cooperation, involving several stakeholders from earlier stages (e.g. reception centres), and promoting flexible processes and the exchange of information.
- Regarding practices in **temporary protection**, most EMN Member and Observer Countries did not establish formal procedures to identify and detect victims of torture and/or ill-treatment, nor to encourage self-reporting. Nevertheless, some countries introduced practices to identify victims of torture and/or ill-treatment from the influx of beneficiaries of temporary protection (BoTP), such as protocols and specialised centres providing tailored medical services, with some countries also encouraging self-reporting

³ United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>, last accessed on 12 February 2023.

⁴ European Network of Rehabilitation Centres for Survivors of Torture, 'Refugee survivors of torture in Europe. Towards positive public policy and health outcomes', 2018, https://www.baff-zentren.org/wp-content/uploads/2018/08/Euronet_Publikation_English_online.pdf, last accessed on 6 June 2023.

⁵ FRA, 'Current migration situation in the EU: torture, trauma and its possible impact on drug use', 2017, https://fra.europa.eu/sites/default/files/fra_uploads/fra-february-2017-monthly-migration-report-focus-torture-trauma_en.pdf, last accessed on 6 June 2023.

⁶ Ibid.

through the use of hotlines and awareness raising pamphlets. In terms of challenges, it was found that the shorter processing period for BoTP makes it challenging for authorities to identify victims of torture and/or ill-treatment, as well as the reluctance of victims to self-report, often driven by feelings of shame or fear. Good practices include multiple and tailored awareness raising initiatives, in addition to interdisciplinary approaches.

KEY QUESTIONS FOR THE DISCUSSION

- Are the current practices in the identification and protection of victims of torture and/or ill-treatment effective? What are the main common challenges experienced by practitioners?
- Which practices are considered as good ones?
- In terms of outlook, which challenges can we expect and which practices would be best placed to address those challenges?

2. PRACTICAL INFORMATION

Date: 17 September 2024

Launch event of the EMN-Red Cross EU Inform on 'Practices and challenges in identifying victims of torture and ill-treatment in the context of international and temporary protection'

The event is held in a hybrid format: online on Webex and in person in Brussels at Centre Albert Borschette, Rue Froissart, 36.

For general online attendance, the registration is [required at this link](#) by 12 September. Webex invitation will be sent to the registered email addresses a few days before the event.

3. AGENDA

Date	
09.30 – 10.00	<p>Welcoming remarks</p> <ul style="list-style-type: none"> ■ Martin Taschner, Head of Unit, Migration Management Preparedness, Directorate-General for Migration and Home Affairs, European Commission ■ Mette Petersen, Director, Red Cross EU Office <p>Event moderator: Tamara Buschek, Senior Policy Officer, EMN France and Co-Chair, EMN CDWG</p>
10.00 – 10.15	<p>Key findings of the inform – Presentation of the key findings of the inform on 'Practices and challenges in identifying victims of torture and ill-treatment in the context of international and temporary protection'</p> <ul style="list-style-type: none"> ■ Razan Ismail, EMN Service Provider, ICF
10.15 – 11.00	<p>Panel 1. Spotlight on key challenges and good practices on identification of victims of torture in the EU</p> <ul style="list-style-type: none"> ■ Sharon Kassahun, Officer, Asylum Support and Vulnerability, EUAA ■ Jeanne Ruscher, Head, Group of experts on torture and trauma, French Office for the Protection of Refugees and Stateless Persons (OFPRA)

	<ul style="list-style-type: none"> ▪ Carmen Cosentino, Deputy Prefect, Ministry of the Interior, Italy. Q&A
11.00 – 11.15	Coffee break
11.15 – 12.15	Expert insights session on the experience of migrant torture survivors <ul style="list-style-type: none"> ▪ Roberto Frifrini, Advocacy Officer, IRCT ▪ Frida Johansson Metso, Coordinator, Competence Centre for Rehabilitation of Torture and War Trauma, Swedish Red Cross ▪ Dr Pierre-Henri Daculsi, Medical Director, Parcours d'exil Q&A
12.15 – 13.15	Practitioners oriented session on addressing vulnerabilities of migrants <ul style="list-style-type: none"> ▪ Catherine Woollard, Director, ECRE. ▪ Monica Gutierrez, Project Officer, Asylum and Migration Sector, FRA ▪ Frida Johansson Metso, Coordinator, Competence Centre for Rehabilitation of Torture and War Trauma, Swedish Red Cross Q&A
13.15 – 13.30	Concluding remarks <ul style="list-style-type: none"> ▪ Magnus Ovilius, Head of Sector Forecasting, Preparedness and Policy Monitoring, Chair of the EMN, Directorate-General for Migration and Home Affairs, European Commission

4. TARGET AUDIENCES

- EMN National Contact Points;
- NGO and government practitioners and professionals;
- EU level and national policy makers;
- EU agencies;
- General public – Online Attendance.