



The Centre for the Study of Violence and Reconciliation

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POSITION PAPER ON THE PREVENTION AND COMBATING OF TORTURE OF PERSONS BILL

1. Centre for the Study of Violence and Reconciliation (CSVSR) was established in 1989 (initially under the name of the Project for the Study of Violence), and seeks to understand and prevent violence, heal its effects and build sustainable peace locally, continentally and globally through a multi-disciplinary approach.
2. In light of our work, we fully support the adoption of the Prevention and Combating of Torture of Persons Bill ("the Bill"). CSVSR has been involved in a campaign to ensure that torture is criminalized in South Africa and that the legislation addresses the needs of victims. However the Bill in its current form does not sufficiently address the responsibility of the state to provide and ensure full redress for the victims and survivors of torture.
3. Research by CSVSR and other organizations who work with victims and survivors of torture has revealed that the impact of torture is complex and can be broadly placed in three categories namely: psychological, physical and social. From our work, the main psychological factors that victims present with include mood disturbances (e.g. depression), helplessness, anxiety, fear, frustration and traumatic responses (such as Post Traumatic Stress Disorders), amongst others. Physical complaints include health-related problems (linked to or exacerbated by the torture), difficulties accessing necessary medications, pain and reduced physical health due to the torture. The social factors include, amongst others, difficulties with the community (e.g. stigma), family breakdown and relationship difficulties. Victims and survivors of torture are therefore a traumatized group who are also vulnerable to additional life stressor in life and are in most cases rendered unable to manage daily tasks, family reactions and to solve complex problems.
4. The Bill leaves enormous gaps when it comes to addressing the needs of torture survivors. It is silent on who is responsible for responding for responding to the psychological, physical and social effects of their violations. The Bill is also silent on who ensures that these individuals can fully function in our society again after torture. There is no mention on how the state can

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