

Commemorating the International Day in Support of Torture Survivors

On June 26, STARTTS joined the global movement to commemorate the UN International Day in Support of Survivors of Torture, with a discussion about the impact of torture and the vital role of diaspora communities in raising awareness and supporting torture survivors. Held at NSW Parliament House, speakers included: Jorge Aroche, STARTTS CEO; William Maley, emeritus professor, author and Afghanistan expert; Dr Mabashar Hasan, academic and human rights advocate; Michael Do Rozario, chair of the Diplomacy Training Program; and Juan Aburto, Latin American community advocate. The discussion was chaired by Christin Kininmoth. This is an edited summary.

Jorge Aroche: On December 10, 1984, the UN Convention against Torture and other Cruel Inhuman or Degrading Treatment or Punishment (the Torture Convention) was adopted. It came into force on June 26, 1987, after being ratified by 20 countries. It presents an opportunity to focus our attention on what is sadly an ongoing scourge on humanity. We have made enormous gains, but unfortunately the world seems to be sliding backwards. This is why we need to commemorate this day, remember that torture abides we must continue the fight against torture.

The fight also requires helping survivors to regain a life after torture. And this is essentially what STARTTS does. This is what our work with individuals, families and communities is all about. Another aspect of the fight against torture is the fight for justice, which contributes to the healing of survivors. So the 37th anniversary of the Convention is a good day to have this conversation, particularly when some of the attendees have been trained in how to use the power of diaspora communities to improve human rights in their countries of origin and how to engage in the pursuit of justice.

Michael Do Rozario: Torture destroys a victim's personality. It negates the intrinsic dignity and leaves long-lasting physical and psychological impacts. It is concerning to note that torture is on the rise, as witnessed by survivors fleeing their homelands to join diaspora communities, including Australia.

Those who join us here remind us that nobody is safe when governments allow the use of torture. So today we recognise the unique position of diaspora communities to influence policy and raise awareness about torture in their countries of origin and countries where they live. The Diplomacy Training Program (DTP) recognises that the protection of human rights requires international solidarity and cooperation at all levels.

Founded more than 30 years ago by East Timorese president, Jose Ramos Horta, and UNSW emeritus professor Garth Nettheim AO, to train civil society advocates in human rights law and the UN system, the DTP has trained participants (community leaders) throughout the region on how they can bring their causes to bear, both within their own countries and on the global stage, via the UN.



This is something our founder Jose Ramos Horta did well. His work to combat torture in East Timor and his advocacy, among other things, led to the creation of East Timor as a modern free state.

Our partnership with STARTTS enabled refugee community leaders to participate in a special human rights advocacy program that equipped them with the skills to lobby for legislative changes and make representations to the media, government bodies and the diplomatic corps in Australia and around the world.

The acquired skills empowered participants to campaign for the formation of an international corporation to promote human rights, prevent torture and build their social capital and networks. This enabled community leaders to advocate more effectively, by informing and educating their own networks about human rights, how governments and the UN work, and how they can advocate and collaborate more effectively. They learnt not only from the presenters and facilitators from STARTTS and DTP, but also from each other and from the experiences of Australia's diaspora communities. Hopefully this

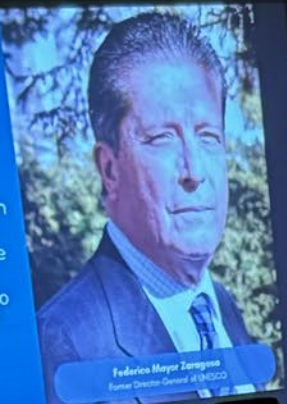
initiative will contribute to the lessening of torture and other human rights abuses, not only in their home countries but also in the region.

Professor William Maley: Australia has had a long history in upholding the rule of law. But in many nation states this is not the case, this is something of a dream and not a part of people's day-to-day experience. Many, as a result of persecution, have had to flee their countries and some have made their way to Australia. I would like to talk about the political situation in Afghanistan.

We are where we are in Afghanistan because the Republic, established in 2001 and given a constitution in 2004, was in effect sold out by the United States in a bilateral agreement struck with the radical Taliban on February 29, 2020 in Doha, behind the back of the Afghan government. In many respects, this has had a profoundly destructive effect on the country.

The agreement committed the US to withdraw its forces from Afghanistan and – as the Afghan armed forces had been configured to be dependent upon the cooperation of the US contractors for them to work

"The cost in human lives and suffering is so high that we all have to work to end violence and oppression once and for all. We have to proclaim that every human being is equal, in dignity, in freedom — and, as the first article of the Universal Declaration of Human Rights states, we have to live in a spirit of brotherhood."



Federico Mayor Zaragoza
Former Director General of UNESCO



Photo courtesy of STARTTS

The Taliban seeks to secure international recognition but it is not in the interest of any serious western politician to risk being perceived as the Taliban's friend.

— Professor William Maley

effectively – this had a devastating operational effect on the ground. There were further, deeper psychological effects.

The US, through its diplomatic plundering, created the impression that the Taliban was on the rise and the Republic was in decline. English philosopher Thomas Hobbs in 1651 said that the reputation of power is power. So power was fundamentally undermined in Afghanistan by the US.

The last British ambassador to Afghanistan, Sir Laurie Bristow, wrote: “The agreement is a strong contender for the title of worst deal in history, if it is understood as a series of attempts to achieve a negotiated settlement. But it was not.” The Trump deal – he initiated it and President Biden finalised it – was led by the US electoral timetable. It is probably a mistake to understand it as a serious attempt to find a genuine lasting settlement, rather than the product of a determination to shake Afghanistan off regardless of the cost to others and take the political dividend.

The consequence was the return of power of the Taliban, a group best described as pathogenic and extremist, who had occupied Kabul from 1996 until

2001, when they were overthrown by operation Enduring Freedom. In that time they had proven themselves to be the least feminist government in the world and were totally uninterested in the protection of the kind of human rights that Afghanistan had ratified in a series of international conventions. Their bizarre views were repudiated by most Islamic scholars in many parts of the world for being entirely at odds with what their religion required.

The first thing we note is that there is no constitution in Afghanistan and there is no sign of one materialising soon. The consequence is that there is no democracy or rule of law. Arbitrary power is what we are witnessing in Afghanistan. I even have some difficulty with the UN referring to the Taliban as “the de facto authority” because authority is different from power. It implies there is a degree of legitimacy, whereas we know from a recent foundation survey of opinion in Afghanistan that 85.1 per cent of respondents had no sympathy for the Taliban.

What we are seeing now is a military group that seized power in auspicious circumstances after years of harassing democratic governments from sanctuary provided to them by the neighbouring Pakistani government and its military intelligence, to serve Pakistan's geopolitical interests. What we have in terms of an organising structure in Afghanistan is akin to that of Nazi Germany, where the dictates of the supreme leader become the authoritative statements upon which people lower in the hierarchy draw to dictate their behaviour towards citizens, and this government has no popular mandate whatsoever or even religious legitimacy.

Lack of legitimacy means coercion, which becomes the default tool of regime maintenance. If you have a legitimate regime very often you don't have to rely on coercion to achieve your objectives because people want to walk beside you. That is what effective leadership means. But when you have a regime that has taken over the government by sheer military force and lacks popular legitimacy, one of the ways in which it maintains its position is by acting coercively. This gives a particular twist to the use of torture, which is rampant in Afghanistan.

Some governments use torture as a device to extract a confession or information that can be used for intelligence purposes. However it also has a symbolic dimension, particularly in the circumstances that prevail in Afghanistan, in the sense that if a government can engage in widespread torture and get away with it, the signal it sends to the population is that it has infallible power, which is critical for regimes

that lack popular legitimacy. This is one reason why the situation is likely to get worse rather than better, and why there is virtually zero probability of inclusivity or power sharing on the part of the Taliban, having never shared power. Believing they might do so, is just wishful thinking.

The lack of rule of law feeds back into an issue related to the definition of torture in the 1984 Convention, article 1.1. The Convention provides that pain and suffering, which is central to the definition of torture, physical or mental, does not include pain or suffering resulting from inherited or incidental lawful sanctions. But in the absence of a legal system, constitutional framework and rule of law, then virtually any kind of abuse perpetrated by the power holders has the potential to fall within the definition of torture in the Convention's definition.

And this is also important because if we look at the reference of severe pain or suffering whether physical and mental, some policies implemented by the Taliban have had terrible effects on the mental health of people in Afghanistan.

The area that has received the greatest attention is the treatment of women. The Taliban has been treating women in an even worse fashion

now than their earlier time in power. Women have been excluded from education, employment and access to public spaces. The role of women is reduced to that of servants and breeders; there is no possible public role for women, even though they constitute a majority of the population in Afghanistan. We know from a range of well-documented sources, and a recent report by Richard Bennett, the special rapporteur on human rights, that this is having devastating effects on women's wellbeing.

The abuses come in different forms. There are abuses that constitute violations of human rights encoded in instruments to which Afghanistan is a party. They come in the form of torture within the definition of the 1984 Convention, and they also fall within the broader concept of gender apartheid. This is being discussed in international legal debates. We need to remember apartheid in South Africa was considered to be a violation of a peremptory norm of international law by the International Court of Justice in 1971. And there is a push at the moment

to bring a case of Afghanistan's treatment of women, or gender apartheid before the International Court of Justice which could grant the Court with an opportunity to vindicate this particular interpretation of the Taliban and lay out some rules about the treatment of women that will then be binding on the Taliban.

This is not the only problem Afghanistan faces. Citizens seen as potential critics or opponents of the regime are picked off the street and subjected to physical or mental abuse. Anyone who is politically active or has a past record of political activism is vulnerable. For example, I received information from a well-known journalist that included shocking photos of a 17-year-old boy, tortured by the Taliban for having a telephone conversation with a teenage girl.

The situation is as extreme as that.

The economy is in a very poor state because of falling demand, associated with the exodus of the key international businesses that found the Taliban intolerable. Technical education is being replaced by radical religious education, imparted by an increased number of madrasas since August 2021. This

extremely alarming development has the potential to drive a vulnerable generation into the radical mindset of the Taliban, with negative long-term consequences. Extremism can take root if it's not nipped in the bud.

The Taliban are active in many parts of the world. They came to power with support of those that thought they would come to the top and remain on top; not doing so would mean rapid loss of support. This happened with the communist regimes in Eastern Europe with the fall of the Soviet Union in 1989, when it became clear that the Soviet Union would no longer invade to prop up ruling communist elites. And within two months, the Berlin wall came down and a range of regimes fell. That is a risk the Taliban faces and that is why they have to maintain the reputation for coercive capacity. But that hasn't stopped various international actors from thinking they can engage with them and perhaps change their mindset.

The UN held a meeting in Doha but the issue of gender was excluded from the agenda, obviously

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— Michael Do Rozario



at the request of the Taliban. No women participated except for a couple of senior US officials. This is not encouraging, as it has the effect of not only capitulating to Taliban's agenda-setting, but also suggesting the agenda they pursue is legitimate.

The Taliban seeks to secure international recognition but it is not in the interest of any serious western politician to risk being perceived as a Taliban's friend. They still enjoy support from the likes of Russia and China, but have made no progress in securing recognition from western states and probably won't. Yet we need to be vigilant about attempts to normalise the Taliban. International actors who believe they can do business with the Taliban present a danger. The Taliban's behaviour is an affront not only to the people of Afghanistan but also to the entire international normative framework developed over decades and embodied in human rights instruments in the Convention against Torture, in the Genocide

Convention of 1948 and in a wider norms that have taken shape in international society, not necessarily encoded in conventions.

What I think is most critical is that governments avoid getting involved in what the philosopher Avishay Margalit called "a rotten compromise". He wrote a book in 2010 called *On Compromise and Rotten Compromises*, an examination of the moral limits of political compromise. When is political compromise acceptable? When is it fundamentally rotten? Something we should never accept. He recognised that in diplomacy you might from time to time have to reach a settlement that doesn't deliver everything that you would wish but you have to make a compromise. But he drew a line at what he called "a rotten compromise" –from his point of view, one that establishes or maintains an inhuman political order based on systemic cruelty and humiliation as its permanent features. He could not have found a better description of the Taliban. R

Harnessing diaspora activism in the fight against torture



William Maley: The diaspora has important roles to play. One is advocacy, in the case of Afghanistan, while the Taliban won't listen to anything the diaspora says, governments where members of the diaspora live, do have reasons to listen to what groups within the community have to say. This not only applies to the Afghan diaspora but also to other diaspora of other nation states where human rights violations are being perpetrated by governments against their own citizens. That is an important role. The diaspora is also a source of authority for the future in the event something happens to the Taliban regime.

Jorge Aroche: In the case of Australia, the commencement of STARTTS was intimately tied to the role of diaspora communities in Australia, mostly from Latin America and Southeast Asia.

Members of those communities raised awareness about the lack of services to assist refugees overcome trauma. This was the mid-1980s and Australia was wilfully ignorant of what was happening in many other countries, so most health care providers had no awareness of the impact of torture, what torture was and how it could affect survivors. Members from diaspora communities with intimate knowledge of the situation in those countries began to support refugees in precarious circumstances.

Some enlightened individuals in the health professions contributed to the establishment of services to assist survivors of torture. But probably it would not have happened without the input of diaspora communities. As a result, services were created to provide an opportunity for survivors to heal from the impact of trauma and develop good

lives in Australia. I must say that in those early times we didn't know how to assist clients, in fact at the time nobody knew how to do it. And we learned a lot from people with experience from other countries, so we founded an organisation, STARTTS, and we invested a lot of time in learning. And that has been part of the STARTTS ethos ever since.

Now, 35 years later our services are of course a lot more sophisticated. We often share our knowledge and train health professionals in other countries. Ukraine is a recent example where several health professionals came to Australia to learn from us about best practice in treating people who have been traumatised as a result of the war.

William Maley: Many nation states tend to recognise states, not only governments. Australia has had such an approach. What this means is, the Taliban takeover did not lead to the closure of the Afghan embassies in foreign countries because the position of countries was that the embassies represented the state, rather than a particular government.

Quite a number of these embassies have actually proved to be financially self-sustaining. Because under the Vienna Convention on diplomatic relations, it's possible for embassies to discharge consular functions from within their buildings, charging passport fees, visa or document certification fees.

So a number of the Afghan embassies established before 2021 have continued to do so without any connection to the Taliban, including the Afghan embassy in Australia that functions from Canberra. This has provided a channel through which advocacy can be injected into international forums on behalf of those who are critical of the human rights abuses in Afghanistan. For example, at the periodic review of Afghanistan, conducted in the Human Rights Council eight months ago, the document presented for discussion was prepared by the Afghan permanent mission to the UN in Geneva, which is not controlled by the Taliban. It was a well-documented and instructive text about the kind of horrors committed by the Taliban over the last three years. It proved to be most valuable to the discussion that targeted a significant international audience, mainly states on the Human Rights Council.

This is just an example of how cooperation is achieved between the different missions and the Human Rights Council that meets periodically and has been able to keep the issue of human rights alive. And of course they wouldn't have been able to achieve this without much cooperation from highly-educated members of the

diaspora, who have been a source of information and material that made their way into reports aimed at an international audience. So a cooperative relationship between a highly-educated diaspora and missions of this sort creates a channel for advocacy that might not otherwise be available. And of course, when you have nasty regimes in place, you have to be as creative as you can possibly be in identifying channels for advocacy that might be used as a way of alerting a wider audience to what's going on.

Mubashar Hasan: It is an issue for diaspora members if they have left family members behind. If they are vocal about repression, they fear retaliation by the regime against family members. This was the case of a journalist from Bangladesh living in New York, whose sister was imprisoned with three of her young kids. In the case of Bangladesh, there are few people raising concerns about human rights abuses.

Also, many diaspora members are marginalised in the country to which they fled. It takes time for them to get established in the new society. But we do have the support of many international human rights organisations, academics and others. That's an incredible thing. It doesn't have to be a Bangladeshi; other organisations could put the case about repression by the Bangladesh regime before powerful forums.

William Maley: Under the Charter, the UN Security Council has mechanisms in place to deal with threats to international peace and security. Sanctions are among the tools available. So it is possible for a state to engage in various kinds of boycotts against other states' repressive regimes, to honour responsibilities under a resolution of the Security Council. When it comes to specifics, one always needs to be careful in crafting a response so it does target the abusers in a country rather than endangering those who may be trying to build international networks to denounce abuse. So you need to be very careful in identifying exactly what measures you might take against repressive regimes to prevent unintended consequences and a negative flow-on effect on innocent civilians.

Mubashar Hasan: Sanctions do work. The United States imposed the Magnitsky Act on Bangladesh, on its elite and security forces responsible for killing thousands of people. And since its imposition in 2021, extrajudicial killings and disappearances almost stopped. That announcement saved at least 30 Bangladeshis' lives every month.



Professor William Maley

William Maley: Going back to the role of diaspora communities, I wanted to say that one of the most successful diaspora in terms of advocacy has been the Jewish community, operating in many different countries. And there's some tactics that have been used that I wouldn't actually want to recommend, but several come to mind. Focusing on the issues that can bring the different elements of a diaspora community together is an important element. This is where human rights issues are significant because very few people will come out overtly against human rights, at least in Australia. So focusing on core values, which are likely to be instantly recognised by the wider community and by the political elites with which one might be engaging, are going to be much more effective foundations for advocacy than say the rights or claimed rights of a particular ethnic minority.

That's not to say that if a minority group has been persecuted it shouldn't be the focus of advocacy, but it's best to do that kind of advocacy within a wider normative framework because it is going to resonate with people. If advocacy moves away from a focus on values that are seen as universal, in favour of much more specific claims, that can easily be repudiated by other people. The Jewish community has been at its most effective when articulating concerns which are seen as universal and least effective when focused on the interests just of the community, potentially at the expense of other groups that also have legitimate moral claims.

Mubashar Hasan: The Bangladeshi diaspora across different countries are building alliances and sharing information, and it is working. It's a slow process, but the image of Bangladesh has changed, it is not what it used to be in 2018 or 2019. I talk with Australian journalists. I was invited to talk after the election in January. They do understand what's going on in Bangladesh. So this is a small win, and this small win is an important milestone in the diaspora movement.

Juan Aburto: The role of diaspora is also about providing support to other members of their community. It is about healing and assisting survivors. As community leaders we need to understand our own communities and support them, provide them with the safest space where they can talk freely about their issues. A diaspora's role is to educate

their communities so that they settle in Australia and overcome the barriers they face. We need to approach the healing of people holistically. This may require changing policies and procedures to facilitate a successful settlement.

Jorge Aroche: Through the process of healing, communities can begin to see their commonalities. Many have been able to work together around issues they agree with. There may still be differences in terms of how they could go about fixing things, about their politics or religion, but in terms of human rights, it is possible to unite communities and that is an incredible asset for humanity and for the larger struggle to bring about a more humane world and eradicate torture.

William Maley: It is paradoxical that most of the instruments that have been put in place internationally to criminalise or prohibit human rights abuses such as the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Genocide Convention, have been created during diplomatic conferences in which states were the dominant participants. And yet states have often proved inadequate in policing the implementation of those particular instruments in other states because other kinds of political considerations come into play, whether it is political alliances within states or other issues.

It reminds me of a comment made by German philosopher Friedrich Nietzsche, who said: "The state is the coldest of all cold monsters" So I believe it is unwise to rely on states to monitor other states' adherence to these kinds of human rights instruments. However, diaspora communities can come into play and put pressure on states to adopt a more humane approach.

Sir Robert Menzies, the longest-serving prime minister in Australia, used to say that you should never pay any attention to anonymous letters sent to politicians unless you've got a few thousand on the same subject. And that I think applies to this area too. If you have in place a well-coordinated and coherent value-based advocacy, it puts the ball in the politician's court to respond appropriately. That's something which people with lived experience of human rights abuses, are uniquely well placed to do. ☐

The International Attuned Neurofeedback Summit: Advancing Trauma Treatment

By Sejla Murdoch





Jorge Aroche, CEO of STARTTS



Mirjana Askovic, Director of the Australian Neurofeedback Institute



Sejla Murdoch, Deputy Director of the Australian Neurofeedback Institute; Tia (client)



Ben Alcock, MC and the ANFI team

Last March the serene Hunter Valley, Australia, hosted the International Attuned Neurofeedback Summit, a landmark event dedicated to advancing the use of Neurofeedback in trauma therapy. Organized by the Australian Neurofeedback Institute (ANFI) a program of STARTTS, this summit turned out to be a vital gathering for professionals passionate about improving mental health and trauma recovery through innovative approaches.

The summit built on a tradition that began in 2012 in Boston, when renowned Neurofeedback expert Sebern Fisher brought together a select group of professionals including STARTTS' Neurofeedback Program Coordinator Mirjana Askovic to explore the potential of neurofeedback in trauma recovery. Over the years, this gathering has evolved into a global movement, and we were proud to host its continuation in Australia. The 2025 summit has provided a platform to connect, learn, and collaborate, showcasing the latest advancements in neurofeedback and its application to trauma treatment.

The program featured an array of prominent figures in trauma and neurofeedback, including Bessel van der Kolk, celebrated author of *The Body Keeps the Score*; Ruth Lanius, a pioneer in neuroimaging and the use of neurofeedback in treating complex trauma; and Dr. Frank Corrigan, the creator of Deep Brain Reorienting (DBR), a groundbreaking approach to addressing early relational trauma amongst many others. These leaders, alongside other experts, guided participants through an engaging exploration of cutting-edge research,

practical techniques, and emerging trends in the field.

The summit was designed to foster meaningful connections and dialogue among professionals working in neurofeedback and trauma care. Through a blend of interactive workshops, keynote presentations, and group discussions, participants had the opportunity to share best practices, learn from peers, and deepen their understanding of Neurofeedback as a transformative tool for healing.

In addition to its rich professional offerings, the summit's location in the Hunter Valley provided a tranquil setting for reflection and renewal. Known for its scenic vineyards and warm hospitality, this region offered attendees a chance to unwind and connect with colleagues in an environment conducive to inspiration and learning.

This event was a continuation of the Neurofeedback Mystery Tour 2022, where professionals from around the world came together to push the boundaries of what is possible in trauma therapy. As conveners, we carried forward that spirit of innovation and collaboration, ensuring that the field of neurofeedback continues to grow and thrive.

By bringing together leading voices and dedicated practitioners, the International Attuned Neurofeedback Summit served as a reminder of the shared commitment to advancing trauma treatment and improving lives. R

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