

RCT Mission Report

Visit to

Jananeethi

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1. Introduction

This report is based on a visit by an RCT mission to Jananeethi on September 9th 2006. The report reflects the immediate impressions and views of the mission gained through this visit and through the materials received. Thus, it does not as such represent a full scale assessment of the organisation, but rather contains preliminary observations. The mission would like to extend its heartfelt thanks to the staff of Jananeethi for making the visit a very positive experience. It is hoped this brief report may be useful to the organisation.

Jananeethi was founded in 1991 and it presents its overall aim as¹:

“Radical changes in the society enabling individuals and societies to live in consonance with the dictates of humanity in their widest scope and dimensions”.

Jananeethi has a broad human rights mandate and limited resources. The Trust areas comprise 1) Combating torture; 2) Conflict resolution; 3) Gender justice; 4) Child rights; 5) Environmental issues; and 6) Public community health.

2. Organisation

Jananeethi has a 155 member general body from all segments of society. An elected body of directors serves for a three year term and have regular meetings (consist of high level people who are not only figure head, but who contribute actively in some sort of voluntary functions). The executive director is supported by a legal fraternity and the executive committee of 9 members.

The organisation is founded and led by a lawyer and former Catholic priest, and is strongly rights-based in its approach. It has a paid staff of 7, in addition to a number of interns & paralegals, investigators, project staff & field animators, research assistants and administrative staff. Jananeethi is a platform for many national and international students and interns studying human rights issues.

It was not clear how many people were presently working with the organisation on a part-time or voluntary basis, but it was the impression that Jananeethi has scaled down its staff due to financial problems. Presently, Jananeethi is in a difficult financial situation, which is limiting its activities. Presently, Jananeethi has scaled down permanent staff from 22 to 7. To boost the outreach capacity they have formed action teams by linking up to external resource persons and institutions.

3. Networking and external funding

Jananeethi has not developed major international affiliations or sister links within the research community and/or with international human rights agencies. National NGO networking in India is allegedly difficult for Jananeethi as many organisations are affiliated with political groups.

The political scene in Kerala is dominated by two major parties the Communist Party (Marxist) and the Congress party (I). (At the moment a coalition government under the leadership of CPM is in power). In general political interference is the rule of the game. Political parties are strong players

¹ PowerPoint presentation, 2006

in Kerala and they try to interfere and do not allow independent NGOs to develop. Independent views are rare in Kerala as most people have communal and party political loyalties. A power change in Kerala automatically will be followed by replacement of top level police officers.

While Jananeethi is at present in a financial crisis in the past the organisation has obtained financial support from Cord Aid, Misereor, UNDP and most recently from the AHRC. An important activity from April 2005 to March 2006 was also “Jananeethi Programmes for the Care and Support of Tsunami Victims in Kerala, India: Naithikayanam, Journey towards Justice”. The programme was funded by a donor from Luxembourg (Climate Alliance).

4. Legal Action as the entry point

Presently, Jananeethi is working with a wide definition of torture, including victims of domestic and relational violence; women and children constitute a large number of its beneficiaries.

Jananeethi believes in action – a human rights organisation should always be prepared to be actionable for intervening in right time. They also believe in legal action as entry point. A 24 hour helpline receives approx. 20 calls per day. The Director of Jananeethi, Fr George, is action oriented and he is sceptical with the Urgent Appeals floating around on the internet and on the human rights scene. Although he finds awareness on violations relevant and important it is insufficient and legal action is required.

5. Future Objectives and Plans

Among its future objectives are the establishment of a torture rehabilitation centre, a resource centre for investigation of torture, campaign at the regional and national levels for the ratification of the UN Convention against Torture, formation of monitoring committees against torture, and sensitization programmes about torture at the community level.

Jananeethi has tested two promising community approaches towards prevention of violence and crime. In a community overwhelmed by pending private conflicts and litigations Jananeethi and the villagers established a ‘people’s court’ with a view to reach to negotiated settlements and created a ‘litigation free community’. In another instance they managed to facilitate the creation of a ‘crime free community’.

Jananeethi has recently developed the tactical human rights concept of a ‘People Tribunal Court’. The aim is to establish a civil society counter mechanism to the sloppy public investigation and horrendous court delays – a judicial enquiry may take five years - and low priority is given in torture cases. Jananeethi is seeking financial support to initiate this new preventive tactic against torture.

6. Psychosocial Interventions

6.1 Beneficiaries

Jananeethi is always to take the victims perspective – “we don’t take people as cases” - victimisation and by stressing the rights based perspective “not asking for mercy” are important ideological elements in the working attitude of Jananeethi. Jananeethi insists that the duty bearer for rehabilitation should be the perpetrator. The main beneficiary category consists of:

- Victims of domestic violence: Last year there were 144 beneficiaries in this category. Most of these beneficiaries are women and they have commonly suffered severe violence and/or sexual harassment. The victims are provided with “psycho-legal counselling” for mostly 4-5 sessions, including accompanying the victim to the police station for the investigation. If the psychological problems are too complex, the victims are referred to a clinical psychologist.
- Victims of police torture and ill treatment: Last year there were a total of 54 cases in this category. Jananeethi gets in contact with the victims through reading about them in the press. Jananeethi helps the victims file a petition to the Human Rights Commission and sometimes also provides him/her with psycho-legal counselling. It was the opinion of the interviewed Law Officer that psychological counselling is not much needed in most police torture cases – that these victims, mostly males, are not as traumatised as the women victims of long-term domestic violence, and that “law as an instrument for social justice” provides sufficient therapeutic help. *Justice is in itself healing.*
- Children victims of abuse: Last year 12 cases. The children had suffered sexual abuse, trafficking, or were street children begging. Some children are referred to a child psychiatrist;
- HIV-infected persons: Provided with counselling
- Adolescent girls (9-16 years): Victims of sexual harassment. They were provided with personal development programmes.
- Victims of the Tsunami: Jananeethi helped almost 10,000 victims. For 7500 victims petitions were filed for compensation to the State government. The victims were also provided with legal aid and assistance, emotional support, social and psychological rehabilitation and social reconstruction (skill development) by legal experts, human rights defenders, clinical psychologists, psychiatric social workers, and “befrienders”. A “mass-healing program” was organised assembling 120 people who had lost family members. Here, after a 4-hour session in which the participants “mourned, sobbed, stammered, wept, annoyed, triggered in rage, grief and guilt and resigned in total helplessness and anguish, they apparently appeared to be resilient, more balanced, quiet, and composed². A special programme was also conducted in schools for children affected by fear and nightmares.

6.2 Psychosocial Activities

Jananeethi understands the concept of “psychosocial” in its widest sense, and sees a strong relationship between justice and rehabilitation. It is, therefore, acceptable to list all the following activities as aspects of the organisations activities to promote psychosocial wellbeing:

- Advocacy: Defending the rights of children and women through training and campaigns, including gender-sensitizing of the police; defending ecological matters;
- Psycho-legal Care and Support: a combination of legal aid and psychological assistance where the victims receive empathic support and counselling. Some beneficiaries are referred to clinical psychologists. Mass/group healing where victims ventilate their feelings, receive support from other victims, and gather hope and courage to move ahead towards justice.
- Help-line telephone services: This help-line is used by many women, elderly and children that are seeking legal aid, information or assistance.
- Community mobilisation: Facilitation of problem-solving initiatives, formation of youth groups, mediation of disputes;

² Annual Report 2005 –2006.

- Training in legal literacy: Community-based education programme, especially for rural women and women of low-income groups, often through self-help groups. In 2005, 44,252 women took part these training sessions; capacity-building of staff;
- Legal resource centre/meeting place: for human rights activists and professionals;
- Networking: With police and judiciary, NGOs, community-based groups, international organisations, academic institutions;

6.3 Research

Fact-finding studies are carried out on, e.g., family suicides, the dowry system, and environmental problems. One of the legal officers is pursuing her PhD on the topic sexual abuse.

6.4 Monitoring and Evaluation

There does not seem to be any M&E system in place although basic statistics are monitored and registered.

6.5 Gender Aspects

There is a great emphasis on gender-related violence, especially sexual abuse of girls and women. The organisation has responded to the gender-related violence with advocacy, campaigns, training, and psycho-legal support of victims.

7. Perspectives for RCT

There seems to be interesting perspectives for collaboration between RCT and Jananeethi, especially as concerns the organisations strong rights-based approach and use of the concept of “psycho-legal counselling”. This approach has parallels to the Latin American scene, but it could be relevant through, for example, a study carried out by Jananeethi and RCT in collaboration, to further develop the description, understanding and usefulness of the psycho-legal approach in both the Indian and other contexts.

The study could be of 3 months duration, including 4 to 6 weeks of fieldwork in Jananeethi by a Danish researcher, who in collaboration with a law officer from Jananeethi collected empirical material about a number of psycho-legal counselling cases with the aim of producing a joint article for international publication.

Although limited time was available for the dialogue with Jananeethi it should be mentioned that the Team was impressed with the organisation. A few observations should be shared with the Jananeethi:

- If TOV is central it could become part of the IRCT network (IRCT is the International Rehabilitation Council for Torture Victims) and apply for assistance from the UN voluntary fund for victims of torture.
- The organisation is dynamic with dedicated and professional staff. It is an organisation with integrity, but it could perhaps strengthen organisationally and become better in prioritising the battles it wants to take.
- Jananeethi deals a broad human rights mandate as demonstrated by a very diverse human rights agenda. It is very activity oriented and it has shown that it has been capable of achieving national impact with the initiation of the coca cola campaign which has closed

down the coca cola plant in the state and stirred up a controversy as it was found that coca colas contained residuals from pesticides.

- Most of the activities of Jananeethi falls outside the narrower mandate of RCT within rehabilitation and prevention of state sanctioned torture and organised violence.
