



association for
the prevention
of torture

2013

- Annual Report

- Founded in 1977 by Jean-Jacques Gautier



Message from the President



In 2013, APT continued to pave the way towards a world without torture, without degrading treatment, a world in which the dignity and rights of persons deprived of their liberty are respected. As you will see in this annual report, APT has been active in many countries, in synergy with its partners. At this point I would like to return to two facts which, though possibly less visible, are nonetheless significant because they place APT in a longer term perspective.

First, APT adopted its new Strategic Plan 2013-2015, the result of internal reflection among its Board Members. The plan sets out a clear and essential road map for the years ahead, covering four main strategic areas:

- transparency of places of detention
- existence of effective policy and legal frameworks
- capacity building and exchanges between different actors
- contribution to public debates and policies

This last point is very important because prevention also involves policy-makers, opinion leaders, the media and, last but not least, the actions and convictions of citizens. The prevention of torture also requires that it be officially banned, both constitutionally and legally. The Strategic Plan is the tool that guides our actions; it is therefore logical that it is reflected in the structure of our annual report.

Secondly, I wish to mention here the place that the Jean-Jacques Gautier Centre now occupies within International Geneva. The Centre is far more than just a building or offices. It is a meeting place, allowing exchanges between experts, diplomats, representatives of OPCAT mechanisms, human rights institutions and civil society. It is also a venue for more informal and sociable gatherings. In short, it is open to everyone, especially to you. The Centre reflects the values of APT and, in its own way, contributes to the prevention of torture.

While APT has matured and progress has been made towards the prevention of torture, much remains to be done and your continued support is both valuable and necessary. A big thank you and happy reading!

Martine Brunschwig Graf
President

Table of contents

Message from the President
by *Martine Brunshwig Graf* 1

Trends in 2013
by *Mark Thomson* 2

Strategy I Monitoring Places of Detention 4

Leaving no place beyond scrutiny 4

Strengthening the OPCAT system 6

Supporting NPMs: designation processes 8

Supporting NPMs: effective functioning 12

Strategy II Laws and Policies against Torture 14

Respecting the prohibition of torture 14

Advocating with UN and regional bodies 16

Strategy III Capacity strengthening and interactions 18

Building partnerships for prevention 18

Providing advice, analysis and knowledge 20

Strategy IV Informed Public Policy Debates 22

Taking position against attempts
to justify torture 22

Financial situation in 2013 24

APT staff in 2013 26

APT Board and Advisory Council 27

Who we are 28



Trends in 2013

Following the shameful attempts to undermine the absolute prohibition of torture over the last decade, we are pleased to report that in 2013 we continued to be involved in the positive push back to ensure that States abide by their legal obligations to protect persons deprived of their liberty.

Although no country is immune from torture, the right to legal and practical remedies and safeguards from torture are increasingly being applied. In 2013 we saw the **adoption of more national anti-torture laws** (e.g. in South Africa and the Maldives), eventually used to prosecute and punish torturers (e.g. in Brazil and Kyrgyzstan). This is not only good news for victims and their families but also restores society's faith in their systems of justice. Another example of such progress last year was the **addition of five States to the international torture prevention system**, as contained in the OPCAT. The creation of the first National Preventive Mechanism (NPM) in the Arab World, in Tunisia, was a further landmark step forward for prevention.

Shared responsibilities

As usual we don't try, in this Annual Report, to describe everything we did last year but rather present some significant highlights of APT's contribution to prevent torture worldwide. In this year's report we have given more space for our varied **partners** to explain their torture prevention experiences and thus show how this is a massive task of shared responsibilities. One of our jobs is to enable them with the right **tools and advice** to be more effective.

2013 was the first year of implementation of our three year strategic plan. To facilitate your understanding

of how we apply the plan we have divided this report up into the current four strategies of the APT.

Good examples of how we followed through with the first strategy of **Transparency and Monitoring** are projects like:

- a Guide for Parliamentarians to visit immigration detention centres;
- assistance given to the Honduras NPM to implement a recommendation of the UN Subcommittee on Prevention of Torture to reform the detention laws; and
- advocacy for the adoption of laws to establish NPMs in Tunisia and Brazil.

Within the second strategy on **advocating for legal and policy frameworks**, a few of the quality efforts made during last year were:

- briefing papers on ratification challenges of the UN Convention against Torture;
- advice given to Uganda partners on implementation of the 2012 prevention and prohibition of torture act; and
- an expert meeting on the use of torture tainted information.

The **Guide on monitoring police custody** was very well received in 2013. It was immediately used in four country trainings and has now been translated



into five languages. It is a typical initiative of the APT to provide practical guidance on an issue related to prevention of torture that had not been given adequate attention by any international actors. Other capacity strengthening exercises included training of NHRIs in Africa and a joint project with Penal Reform International to develop a series of briefing papers on unexplored matters of monitoring such as LGBTI persons in detention. We also continued to facilitate **interaction between prevention actors** last year, including:

- useful exchanges between Honduras and Costa Rica NPMs;
- a visit of the Senegal NPM to meet with the Swiss NPM;
- an opportunity for the Rio de Janeiro Local Preventive Mechanism to visit the Paraguay NPM; and
- the convening of a Southern Cone conference of Latin-American NPMs and State representatives, together with the Argentinian Prison Ombudsman.

The relatively new strategy for the APT of **contributing to informed public policy debates** has improved substantially. We now make more public statements on issues related to our prevention mandate. In 2013 we took a stand on issues such as:

- police brutality in South Africa, pointing to the need for an NPM;
- access to all places of detention at any time for a local preventive mechanism in Rio Negro in Argentina, which was subsequently enforced by their Supreme Court; and

- deaths in custody in Brazil, as evidence of the urgent need for a law to establish a Federal NPM (which was later adopted).

The APT also makes more use of **social media** and **videos**, for example with the UN Special Rapporteur on Torture and NPM representatives from Senegal and the Maldives. However, probably the most significant advance on this front over the last year was the launching of the Spanish version of our **website** to accompany the English and French versions.

We value your feedback

Allow me to switch the attention back to you, the reader of this report. As we endeavour to enable others around the world to effectively prevent

torture and ill-treatment - how would you rate our work after you have read this report? How do you think we score on the evaluator's standard criteria of relevance, efficiency, effectiveness, sustainability and impact?

With your feedback and support we can do much more. Thank you for your interest in our efforts to ensure the just treatment of all persons deprived of their liberty everywhere, especially the most vulnerable amongst them.

Mark Thomson
Secretary General

Strategy I Monitoring Places of detention	Strategy II Laws and policies against torture	Strategy III Capacity strengthening and interactions	Strategy IV Informed Public Policy Debates
<ul style="list-style-type: none"> • A variety of places of detention are monitored • Stronger implementation of the OPCAT system • More NPMs, in different regions, are independent and work effectively 	<ul style="list-style-type: none"> • Universal UNCAT ratification • International standards on torture prohibition and prevention are developed and implemented • More institutions and countries adopt torture prevention policies 	<ul style="list-style-type: none"> • More NPMs, NHRIs, NGOs, judiciary and government officials implement torture prevention actions • Analysis and knowledge of prevention has increased • Practical advice is available for prevention actors 	<ul style="list-style-type: none"> • Increased public support against torture • Influential actors are engaged in promoting prevention

Strategy I: Monitoring Places of Detention

Leaving no place beyond scrutiny

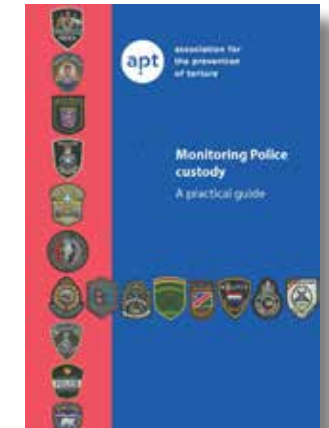
Transparency and independent monitoring are needed in all places of deprivation of liberty, to ensure that the dignity of the persons detained is upheld and to make the authorities accountable. This is why most institutions conducting visits, including National Preventive Mechanisms, are given a broad mandate that leaves no place of detention unscrutinised.

Torture most frequently occurs in the early stages of deprivation of liberty, when individuals are at the hands of police forces. This imbalance of power creates serious risks of abuse and police stations should therefore be under the close scrutiny of independent monitoring bodies. Responding to this pressing need, in January 2013 the APT published

a practical guide on **Monitoring police custody**, which has already been translated into French, Arabic, Russian, Spanish and Portuguese.

During the launch of the French version of the guide in **Tunisia**, a high-level experts' panel on Policing and the Rule of Law preceded a training with civil society activists on monitoring police custody. The Russian version was launched in **Tajikistan** at the Ombudsman's office and was also presented to law enforcement officials at the Home Ministry. The guide was also successfully used in trainings in **Costa Rica** and **Uganda**.

variety of other actors – National Human Rights Institutions (NHRIs), civil society organisations, parliamentarians, prosecutors etc. – with different mandates conduct visits to places of detention as well. The APT has therefore engaged with all these actors, in different countries, to raise awareness about their role and to build their capacities in preventing torture.



In **Brazil**, the Federal Constitution and the Law on Criminal Sentencing instruct the prosecutors to monitor the conditions of detainees, but this monitoring is not regularly conducted in most states. Asked by the Prosecutors' Training School of the State of São Paulo, the APT organised a workshop on detention monitoring in October for about 25 prosecutors, which included a visiting exercise to police stations. To ensure the sustainability of the project, the workshop was conceived as a training of trainers and a handbook with training modules was developed for the occasion.

Monitoring immigration detention: the role of parliamentarians

The practice of detaining asylum seekers and irregular migrants – often arbitrarily or unlawfully – is on the rise worldwide. The conditions of detention are often unsuitable to their particular situation and

Photo: OSCE/Igor Schimbiator



Independent monitoring of the police is crucial to prevent abuse. Torture and other ill-treatment often happen during the early stages of detention – when a person is arrested, transported and interrogated by the police.

worse than those faced by persons detained under criminal legislation in the same country.

By shining a light on the actual conditions and day-to-day practices in these centres, practical steps can be taken to improve the treatment of migrants deprived of their liberty. There is therefore an increasing need for a variety of actors to work together. All actors have a specific role to play in the complex system of protection and promotion of the rights of migrants in detention. Parliamentarians can not only play a crucial role by visiting immigration detention themselves, they can also help civil society and media to gain access.

Together with the Committee on Migration, Refugees and Displaced Persons of the Parliamentary Assembly of the Council of Europe we continued a project to support parliamentarians in the 47 member states of the Council of Europe to carry out visits to immigration detention centres. In October we launched a practical guide to encourage and assist parliamentarians to carry out visits. The guide introduces some basic monitoring principles and methodology and lists some of the key issues and areas that the parliamentarians should examine during the visit. The project also included practical visits to immigration detention centres in Zürich, Switzerland.

"Parliamentarians have the power to change things"

For **Annette Groth**, national parliamentarian in Germany and a member of the Parliamentary Committee on Migration, Refugees and Displaced Persons of the Council of Europe, it is a duty to work for urgently needed change with regard to immigration detention in Europe. Over the years, she has visited countless centres for migrants.

"Immigration is a big political issue in Europe, but most parliamentarians have never been inside a detention centre. It's therefore very important to encourage parliamentarians to visit these centres. Only then will they know what the reality looks like, the inhuman conditions in many places."

Annette Groth believes that the joint APT-Council of Europe project to encourage and guide parliamentarians to visit immigration detention centres has contributed to raise awareness of the importance of conducting visits.

"It was a very good initiative. The material is especially useful for new parliamentarians and should be widely disseminated."

In October 2013, Annette Groth and nine other



members of the Parliamentary Assembly of the Council of Europe (PACE) from different countries visited the deportation section of the prison at the Zürich-Kloten airport, under the guidance of the Swiss National Preventive Mechanism and the APT. The visit was an opportunity for parliamentarians to meet and talk to detainees as well as to management and other staff at the prison, including medical personnel.

"I was curious to know more about how the Swiss handled this, if it's different from what we do in Germany. I think that all MPs should visit, not just centres in their own countries but where the migrants arrive, in Bulgaria, Greece, Italy. As parliamentarians we have the power to change things. Who else could bring such change?"

The next step, she stresses, must be follow up and continued awareness raising at the national level – why not in cooperation with the German National Preventive Mechanism!

Monitoring Places of Detention

Strengthening the OPCAT system

Seven years after its entry into force, the Optional Protocol to the Convention against Torture (OPCAT) continues to generate interest in all regions of the world. Five new states joined the treaty in 2013 (Burundi, Italy, Nauru, Norway and Portugal) and three additional states signed it (Angola, Guinea-Bissau and Mongolia). By the end of the year, the OPCAT had 70 State Parties and 21 Signatories.

The APT continued to advocate for ratification of the OPCAT, especially in the underrepresented regions of Asia-Pacific, Central Asia and the Middle East and North Africa.

In **Indonesia**, a national workshop co-organised with the Human Rights Commission and the EU put the OPCAT back on the political agenda and focused on possible options for a National Preventive Mechanism (NPM). In **Mongolia**, our advocacy work included an awareness raising workshop with 200 law enforcement officials and an event to discuss monitoring of less typical places of detention, such as psychiatric institutions and care homes. Mongolia signed the OPCAT in September 2013 and is expected to ratify in 2014.

We advocated for OPCAT ratification not only during in-country missions but also with United Nations mechanisms, especially for countries under review at the Human Rights Council (Universal Periodic Review) or presenting reports in front of the Committee against Torture or the Human Rights Committee. The UN Treaty Event, during the session of the General Assembly in New York, represented another opportunity to promote the OPCAT.

We continued to provide tools to assist national actors in OPCAT implementation, and published

practical papers on National Human Rights Institutions (NHRIs) as NPMs and on membership of NPMs. We also updated the OPCAT Database regularly, providing detailed information on OPCAT status, different types of NPMs, legal basis, working methods, human and financial resources, etc.

Supporting the UN Subcommittee

In 2013, the Subcommittee on Prevention of Torture (SPT), with six new members, entered a phase of consolidation of its working methods. The practice of NPM advisory visits, initiated in 2012, has successfully continued and the APT provided information prior to the visits. After its advisory visits the SPT submits two reports, one to the State authorities and one to the NPM itself. The NPMs of **Germany**, **Honduras**, **Moldova** and **Senegal**

have all published the reports addressed to them. This is a welcome development, as these reports contain concrete recommendations of interest to all NPMs, regarding independence, legal basis, functioning and methodology.

We also promoted the implementation of SPT recommendations. In **Honduras**, for example, we organised a seminar to discuss measures to implement the Prison Act, adopted following an SPT recommendation. In a number of countries, including **Argentina**, **Mauritania** and **Paraguay**, we invited SPT members to participate in OPCAT related activities.



Participants in a torture prevention workshop recommended that Algeria ratifies the OPCAT

Promoting OPCAT in MENA

In 2013 we continued to advocate for the remaining North African states to follow Tunisia and Mauritania and become State Parties to the OPCAT, with some success. Together with national and international partners, we have been advocating for OPCAT in **Morocco** since 2006, where the Parliament approved ratification. The vote in the Upper Chamber, in May, came following an advocacy meeting that the APT and other international and regional NGOs held with the Chamber's President. In June 2013 Morocco completed the internal process allowing the government to ratify the OPCAT with the publication of a Royal Decree. However, to make the ratification effective Morocco still needs to make an official deposition with the office of the United Nations in New York.

Neighbouring **Algeria** has also demonstrated interest in the torture prevention treaty. In February 2013, the National Consultative Commission for the protection and promotion of Human Rights in Algeria invited key national stakeholders to a workshop dedicated to the OPCAT, organised jointly with the APT. The workshop concluded with recommendations that encourage the government to start the process towards ratification of the OPCAT. The President of the National Human Rights Institution declared: "*As an influential body we will do our utmost to ensure that Algeria ratifies the Optional Protocol to the UN Convention against Torture*".

"NPMs need to address systemic issues behind torture"

Penal Reform International (PRI) and its South Caucasus regional office has been a close partner of the APT for many years. In 2013 we joined PRI in producing a series of thematic papers and factsheets to support monitoring bodies to identify and address risk factors for torture and ill-treatment. **Tsira Chanturia**, PRI's regional director in Tbilisi, Georgia, believes that the most effective way for National Preventive Mechanisms to prevent torture is to address systemic issues.

"The themes were selected based on preliminary consultations with NPMs. I hope this toolkit will help them to focus on thematic issues and areas which have been either overlooked or not sufficiently covered during monitoring visits. Perhaps, using the thematic papers and factsheets will encourage NPMs to think further about factors which constitute the environment for torture in prisons."

Parts of the toolkit were piloted at a joint PRI/APT training for the Georgian NPM in June. The feedback from participants was positive, highlighting problematic issues which they had not thought of before.



PRI has been supporting the work of the Georgian NPM for several years. In September 2012 video footage of prison guards torturing detainees cast a big question mark over the efficacy of the NPM in the eyes of some observers. This was followed by a turbulent period of staff changes in late 2013.

Tsira stresses the importance of NPMs to focus on preventing abuse, rather than dealing with complaints. To do this, she says, the Georgian NPM needs increased autonomy within the Ombudsperson's Office.

"An additional challenge is that we now have a new composition of the NPM group. These new members need further capacity building to develop their monitoring skills."

Monitoring Places of Detention

Supporting NPMs: designation processes

The main obligation under the OPCAT is to designate or set up one or several National Preventive Mechanisms (NPM). States are free to choose the type of mechanism that is best suited to their national context but the process should be inclusive and transparent.

According to the OPCAT, States have one year after ratification to designate their NPM, but NPM designation can be a lengthy process.

The adoption in **Brazil** of the law creating the federal NPM system is therefore an important breakthrough (see pages 10-11).

First NPM in the Arab world

Tunisia became the first country in the Arab world to create its National Preventive Mechanism. In October 2013 the Parliament adopted the law establishing the National Authority for the Prevention of Torture, following a participatory process.

Throughout the year, the APT, jointly with the World Organisation against Torture (OMCT) and other national and international partners, supported and encouraged Tunisian actors in finalising the law and putting it on the political agenda.

The activities, typical of APT's engagement during NPM designation processes, included coordination meetings among civil society actors, technical advice, lobbying with members of parliament and awareness-raising with the wider public.

Mauritania taking steps towards NPM designation

We were also in regular contact with the **Mauritanian** stakeholders involved in the NPM designation, paying particular attention to supporting a participatory decision making process. In May 2013, the APT, the Human Rights Commission and other NGOs organised a workshop to empower civil society to participate in this process.

In line with the recommendations of this workshop the Government asked a technical committee, composed of senior officials, the Commission and civil society representatives, to develop an NPM proposal in early 2014.

During the year, the APT also supported designation processes in **Mauritania, Mongolia, Panama, Peru, Philippines, Togo** and **Turkey**. **Portugal** and **Norway** designated their existing Ombudsperson as NPM.

Images:

1. Top left: Participants during a training seminar on torture prevention in **Mongolia** in June.
2. Top right: Event with the Rapporteur for the Rights of Persons Deprived of Liberty in the Americas, **Panama**.
3. Bottom: In **Mauritania**, the APT met with different stakeholders, including civil society.





"I always believed that things would change in Tunisia"

On 9 October 2013 the National Constituent Assembly of Tunisia adopted the law which creates the first National Preventive Mechanism in the North Africa and Middle East region. For **Nejib Hosni**, lawyer and member of the transitional parliament, this was a historic and emotional moment.

"Most parliamentarians were happy about this law, but I think that very few really understood the importance, the positive impact that this will have in our country."

Nejib Hosni is a longtime partner of the APT and a member of our Advisory Council. As a lawyer and human rights defender he spent several years in prison, a political prisoner during the Ben Ali era. In the 1990's APT's President at the time, Marco Mona, took an interest in his case and the two became friends and allies in the fight against torture.

"It opened my eyes to the importance of prevention. I had been focusing on helping the victims and on denouncing the torturers. Now I really believe that preventing torture is a more effective way to go."



On Human Rights Day, 10 December, Hosni participated in an event at the UN in Geneva, alongside the Tunisian Minister for Human Rights, to share the experiences of the first Arab state to create a torture prevention mechanism. According to him, the support of APT and other international NGOs has been critical to make the new government understand the importance of criminalising and preventing torture. The international attention around the NPM law has increased the political motivation to take the process forward.

"I always believed that things would change, politically. But I didn't think that it would happen so fast, all these reforms. Let's just hope that reality will follow the ambitions."

Nejib Hosni says that he is proud of his country now.

"It is not perfect – but there are very important improvements in Tunisia."

Monitoring Places of Detention

A national torture prevention system becoming a reality in Brazil

Seven years after **Brazil** ratified the OPCAT, the National System to Prevent and Combat Torture will soon become a reality. A law and a regulating decree were adopted in 2013, creating a National System of two main bodies at the federal level: a National Committee and a National Mechanism. The Committee will include civil society organisations, professional associations and federal entities, which will then elect the members of the future Mechanism. The national system will also be complemented by local monitoring mechanisms in the Brazilian States.

The enactment of the legislation is the result of many years of continuous and persistent advocacy by committed organisations and individuals. The APT has worked, since the early days of OPCAT ratification, for the creation of this system and contributed throughout the process with technical advice. We have worked in close cooperation with national actors such as the Prison Pastoral Care (*Pastoral Carceraria*). Together, we also advocated for NPM establishment in a hearing with the Inter-American Commission on Human Rights.

Rio local mechanism stepping up

The establishment of the National System to Prevent and Combat Torture in Brazil is a long-awaited and major development for the prevention of torture in a country where, so far, Rio de Janeiro is the only state to possess a preventive mechanism. The Rio mechanism has carried out periodic visits since 2011, to a variety of places of detention, including substance abuse rehabilitation centres and shelters for homeless youth. In 2013 it published a thematic

report addressing the consequences of the lack of access to justice for most detainees.

In June, protesters took to the streets of Rio and other major cities around the country and the police arrested hundreds of people. The local mechanism in Rio identified a situation of imminent risk of torture and ill-treatment and called for rapid intervention. Together with a group of lawyers from the Brazilian Bar Association and various human rights NGOs, the Rio mechanism closely monitored the situation of the detained demonstrators, to prevent any abuses.

Efforts in other Brazilian States

Several other Brazilian states have already passed legislation to establish local monitoring mechanisms (Alagoas, Paraíba, Pernambuco, Espírito Santo and Rôndônia), but these are not yet operational.

In Paraíba, we carried out a series of coordinated advocacy initiatives, together with the State Committee to Prevent Torture and the Federal Public Prosecutor's Office, to put the creation of a local torture prevention mechanism on the political agenda. We met with authorities and engaged



Photo: Semilla Luz

The local preventive mechanism of Rio de Janeiro intervened following mass arrests and repression in response to street protests in several Brazilian cities during the second half of 2013

the local press. On International Human Rights' Day we published a statement, urging the State to immediately put into effect the local mechanism and grant it the necessary resources to function effectively.

Developments in Argentina

In **Argentina**, local mechanisms continue to function in the provinces of Chaco, Río Negro and Salta. In Mendoza, as a result of intense advocacy efforts, the Prison Ombudsperson was finally nominated and started visiting places of detention. In Río Negro the local mechanism was denied access to a place of detention after a riot. The APT reacted strongly to this restriction and a resolution by the Superior Court of Justice later reaffirmed the unimpeded access of the local mechanism to all places of detention, at any time.

In connection with a Regional Conference on torture prevention in the Southern Cone, the APT gathered for the first time representatives from local mechanisms in both Brazilian states and Argentinian provinces. The participants discussed the main challenges related to the creation and functioning of local mechanisms in federal states and shared experiences about how to effectively advocate for their establishment, functional and financial independence.

"We are witnessing a change in Brazil"

On 2 August 2013, nearly seven years after Brazil ratified the OPCAT, President Roussef signed the law creating the National System to Prevent and Combat Torture. This system will be composed of a committee and a mechanism at the national level and foresees the establishment of local preventive mechanisms in every Brazilian state.

For **José de Jesus Filho** this is a significant development. As a lawyer, working with the Prison Pastoral Care (*Pastoral Carceraria*) since 1995, he has visited dozens of places of detention:

"Although Brazil already possesses institutions which partly monitor conditions of detention, the new mechanisms will, for the first time, have a specific mandate dedicated exclusively to monitoring all types of places of deprivation of liberty in the whole country."

A long-term APT partner, José joined our Board in 2012. Since the OPCAT ratification in 2007, he has contributed to the drafting of the legislation creating the National System, with the constant support of the APT. According to him, the APT succeeded in putting the OPCAT on the political agenda of Brazilian states, becoming "the



reference organisation on prevention of torture in Brazil".

José is confident that, despite the challenges, the National System will start functioning soon. Now, he says, the mechanism needs members who are experts in the field of torture prevention and needs to be properly staffed and funded.

With a prison population of over half a million detainees, the new mechanism has a titanic task ahead. But José remains optimistic about the impact that the future system will have on the lives of detainees:

"We are witnessing a change in Brazil. By creating this system, the State sends a clear message that torture is never acceptable. Recent surveys have also shown that an increasing part of the population rejects the use of torture."

Monitoring Places of Detention

Supporting NPMs: effective functioning

OPCAT implementation at national level is now a reality in most of the States Parties to the treaty. At the end of 2013 there were 51 designated National Preventive Mechanisms (NPMs) in all regions of the world, most of them already operational.

In a majority of States the NPM mandate involves a National Human Rights Institution (NHRI), either as the sole NPM institution or together with other bodies. This is why, on the occasion of the 20th anniversary of the Paris Principles on NHRIs, we published a briefing paper on *"NHRIs as NPMs: challenges and opportunities"*.

In 2013, the APT provided advice and support to emerging NPMs, through capacity strengthening activities and advocacy. OPCAT States Parties have a continuing obligation to ensure the effective operation of NPMs. The recent laws adopted in **Costa Rica** and the **Maldives** that finally provide a strong legal basis for the NPM are therefore a welcome development.

Stronger NPMs in Honduras and Paraguay

In **Paraguay**, the NPM started its operations in early 2013. It invited the APT and the Office of the High Commissioner for Human Rights to hold a major event on prevention of torture, to raise awareness about its mandate among authorities, civil society and the media. International experts and a member of the preventive mechanism of Rio de Janeiro shared their experiences and practices.

The NPM's achievements during this first year of activity included a Ministry of Justice's decision to

address conditions of detention in Tacumbú prison, where close to 80% of the 3,800 detainees are held in pre-trial detention. Also, following a visit by the NPM, a judge ordered the closure of a children's shelter and the Supreme Court issued a decision to strengthen judicial control over such facilities and to prioritise de-institutionalisation of children.

The **Honduran** NPM was significantly strengthened in 2013 with an increase in human resources and the opening of a local office in San Pedro Sula, and played a protagonist role in the current penitentiary reform. The APT and the Human Rights Secretariat, with the NPM and other national actors, convened a workshop to discuss steps to implement the new Penitentiary Act, which was adopted following a recommendation from the UN Subcommittee on Prevention of Torture (SPT). An international expert on penitentiary reforms was also invited to share successful practices from the Dominican Republic. Through this workshop we established a first dialogue among key national actors to move the reform process forward.

Kick-start in Senegal

In 2013, the first specialised NPM in Africa, the National Observatory of Places of Deprivation of Liberty in **Senegal**, became fully operational and undertook awareness raising activities and visits to places of detention in all regions of the country. The NPM published the report of the SPT's December 2012 advisory visit, and the APT participated in the discussions on possible ways of implementing the recommendations. We further supported the NPM by organising a study visit in Switzerland and through on-going distance advice. In December, a national seminar on the situation in prisons, co-



Monitoring visit to a place of detention in Honduras

organised by the NPM with the Ministry of Justice and the International Committee of the Red Cross, recommended a series of legislative and practical reforms to improve detention conditions in Senegal.

New South East Europe network

A welcome development could be seen in the Europe region in 2013 with the launching, in Belgrade, of the South-East Europe NPM Network. The main purpose of the network is to establish greater cooperation and to exchange experiences, to create synergy between members and to provide support for effective fulfilment of the NPM mandate. Founding members [Albania](#), [Bosnia-Herzegovina](#), [Croatia](#), [Macedonia](#), [Serbia](#) and [Slovenia](#) were joined by [Austria](#) in October.

Strategic planning in New Zealand

Just a few weeks before the inaugural visit of the UN Subcommittee on Prevention of Torture to [New Zealand](#), the APT was invited to facilitate a workshop with the National Preventive Mechanism on how to work more strategically. The New Zealand NPM, composed of five institutions, had recently gone through a review process after five years of operation. Now was the time to draw lessons learned, identify priority areas and turn new ideas into action. The NPM discussed how best they could use the opportunity of the SPT visit to raise specific issues in relation to the situation in detention. In spite of a predominant concern regarding funding - the New Zealand NPM is relatively poorly funded - the workshop confirmed the strong team spirit and collective identity of the different NPM institutions in the country.

"My goal is a torture-free Senegal"

It has been a busy year for **Boubou Diouf Tall** and his team at the newly established National Observer of Places of Deprivation of Liberty in Senegal. This National Preventive Mechanism was designated in 2011 and operational by the end of 2012. Since then, Boubou Diouf Tall has travelled the country to visit prisons and police stations and to inform local authorities and the general public about his institution and its mandate.

"The situation of persons deprived of liberty in Senegal needs to be improved, greatly improved. Prisons in all regions are inadequate and severely overcrowded."

There is still a long way to go, but Mr Tall is optimistic. So far, the different actors – including those directly in charge of places of detention – have accepted the NPM. There is a growing interest in its work, not least from the media, and Mr Tall has seen a gradual change of attitudes:

"Prison authorities and law enforcement officials are very careful now. They know that at any time, even at night, someone from the national mechanism can come for an unexpected visit."



In October, the APT invited Boubou Diouf Tall and two members of his team to Switzerland, for an exchange of experiences and good practices with the Swiss National Commission for the Prevention of Torture. Among other things, they undertook a joint monitoring visit to a juvenile detention centre in Geneva.

Mr Tall looks forward to continue the close collaboration with the APT and with other national partners:

"My aim, perhaps utopian but still feasible, is at the end of my 5 years, to have no torture in Senegal. It is my wish, it's my goal. And I think we should be able to achieve this."

Strategy II: Laws and Policies against Torture

Respecting the prohibition of torture

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Universal Declaration of Human Rights, Article 5

In the 66 years since the Universal Declaration of Human Rights was adopted, these words have not lost any of their urgency. All States have an obligation to prohibit torture and other forms of ill-treatment. States also need to put in place a protective framework of safeguards and standards for all persons deprived of their liberty; and to ensure that when violations occur, they are properly investigated, that perpetrators are held to account, and that victims are offered as complete redress as possible.

In 2013, the APT published comments in print and online media responding to attempts to erode the universally accepted prohibition against torture. We worked with multiple actors to ensure that robust institutional safeguards are introduced and followed to prevent torture in **Uganda**, **Mongolia**, and at the **EU**. To support UN mechanisms and enable a detailed and accurate assessment of each State under review, we made regular submissions on priority States.

Promoting UNCAT ratification

At the end of 2013, the UN Convention against Torture counted 153 State parties. By ratifying the UNCAT, a State declares unambiguously that it no longer tolerates acts of torture or ill-treatment, and demonstrates its willingness to join the community of States that already stand together to promote fundamental freedoms and human dignity among its people.

In 2013, the UN Convention against Torture was ratified by **Guinea-Bissau**, and signed by **Haiti**, **Angola** and **Vietnam**. Each signature represents a welcome commitment to seek full membership of the Convention when the domestic requirements are fulfilled and to act in a way which is consistent with the treaty.

During the year, we worked with a range of actors to promote ratification in key States and in regions of the world with few States parties. In the Pacific, we made a submission to the Pacific Island Forum as it reviewed its own five year priorities, encouraging it to ensure that torture prevention and treaty implementation remain high on its agenda in the coming years.

As the Committee against Torture celebrated its 25th anniversary in May 2013, the APT led other civil society actors to encourage ratification or

accession from the 41 States who had yet to join the UN Convention against Torture.

Advising on anti-torture legislation

One of the obligations of State parties to the Convention against Torture is to make torture a specific criminal offence under their domestic law. The APT advocated for the adoption of effective anti-torture legislation during State review at the Human Rights Council and with treaty bodies.



Speakers during a seminar on OPCAT in Thailand in February

We also continued to offer advice to States who were drafting or reviewing their own legislation to integrate the international prohibition of torture in their own national legal framework.

For instance, in **Thailand**, several legislative proposals for the criminalisation of torture are being considered, and we submitted comments and advice on each. In 2013, we welcomed the adoption of anti-torture legislation by **Bangladesh, Maldives** and **South Africa**. In the latter two countries, we contributed to the process by commenting on draft bills and advocating for adoption.

In **Uganda**, after the adoption of the Prevention and Prohibition of Torture Act 2012, we provided practical, technical expertise to demonstrate how the law could be operationalised and joined national actors for the adoption of a road map and a Plan of action to implement the law.



Following an expert meeting on 'Key Issues in Drafting Anti-Torture Legislation' with some 20 practitioners and academic leaders from different regions, we published a substantial report to share experience, advice and good practices.

"The roadmap will help to eradicate torture in Uganda"

After years of efforts by local and international human rights groups, including the APT, Uganda enacted the Prevention and Prohibition of Torture Act in 2012. **Ruth Ssekindi**, Director of the Complaints, Investigations and Legal Services of the Uganda Human Rights Commission, anticipates that the Anti-torture Act will go a long way in contributing to the eradication of torture in the country:

"The Prevention and Prohibition of Torture Act criminalises torture and ill-treatment and reinforces the respect for human dignity. But the adoption of the law was not an end in itself. We have now focused on the need to ensure that it is properly implemented."

In February 2013, the Uganda Human Rights Commission, together with its partners, therefore developed a roadmap to help set the priorities and to guide all relevant stakeholders on actions and activities that are required to implement the law.

"There is still limited awareness about the Act. Police officers, prosecutors, lawyers, magistrates, judges and civil society



organisations are implementing actors, yet they have very little knowledge of the provisions in this law. This is a main challenge for us and also why we have to continue our efforts on training."

APT has been a key partner for the Uganda Human Rights Commission since 2008, supporting the drafting of the anti-torture law, providing training for various actors (members of parliament, lawyers, judges, police, prison officials and others) and advocating for ratification of the torture prevention treaty, OPCAT.

"The strategic partnership with APT means a lot to us and we appreciate the commitment and transparency – as well as the confidence that you have shown in the Uganda Human Rights Commission."

Advocating with UN and regional bodies

The APT continues to highlight torture prevention issues before UN mechanisms. In particular, we make regular submissions on priority States to members of the Human Rights Council for consideration in the Universal Periodic Review, and to relevant treaty bodies to assist in the review of States Parties.

In 2013 we also provided inputs and comments on the resolution on torture adopted by the General Assembly, as well as on other relevant resolutions. The Human Rights Council resolution on administration of justice, for example, calls on States to establish monitoring mechanisms and take measures to address and prevent detention conditions that amount to torture or ill-treatment. Another new resolution, on the role of prevention in the promotion and protection of human rights, is also of particular relevance for the APT and we therefore participated in a well attended side-event to debate this issue.

In 2013, the Committee against Torture elected new members, and the APT provided guidance on the nomination of national experts and in choosing candidates for election.

An intergovernmental expert group considered proposals to review the UN Standard Minimum Rules on the Treatment of Prisoners. We have closely followed the process and supported partners in advocating for limited but meaningful reforms.

The APT is regularly asked to provide advice to civil society actors who seek assistance in engaging with UN mechanisms. In response to one such request, we trained, with the assistance of our national partner, various organisations in **Mongolia** on following-up

on recommendations from the Committee against Torture (CAT) and promoting effective cooperation with civil society during the review cycle. We also made our advice available online, and published general guidelines for submitting alternative reports to the Committee against Torture.

Exclusion of torture-tainted evidence

One of the principal incentives for the use of torture is to force suspects into giving up information

or making a confession. In 2013 we continued to dedicate time and resources to help States end this abhorrent practice. In **Nepal**, we worked in partnership with the Advocacy Forum on a three-year project to collect data, from interviews with detainees, on the use of torture to obtain confessions. The project also includes exchanges with judges, prosecutors, lawyers and police.

To share lessons on the prohibition of using evidence obtained by torture, we review and publish jurisprudence from treaty bodies and from regional and national courts which develop the principle. In 2013, we published over 20 cases revealing details on how evidence suspected of being obtained by torture should be treated by the judiciary.

The use of torture-tainted information is not limited to judges and prosecutors. In November we hosted an expert meeting with the Special Rapporteur on Torture, Juan Mendez, and other key experts, to consider how police, security and intelligence agencies collect, use and share information obtained by torture. Participants from a variety of disciplines discussed legal standards and practical challenges in the use of torture-tainted information, and whether further guidance would now be appropriate.

EU tools to prevent torture

Engagements with European Union institutions will be facilitated by the re-activation of a European Council taskforce on torture. In 2013 we made comments to the draft European

Photo: UN/Evan Schneider



The chair of the Sub-Committee on Prevention of Torture Malcolm Evans side by side with the chair of the CAT Claudio Grossman during a Briefing at the UN

Parliament study on the global eradication of torture. We emphasised the relevance and the importance of the EU Guidelines on torture, and of the EU Action Plan on Human Rights, which both need to be further disseminated and promoted.

As part of our increasing focus on groups in situation of vulnerability, we promoted the protection of lesbian, gay, bisexual, transsexual and intersex (LGBTI) persons deprived of their liberty, by comments on the new EU Guidelines and the draft roadmap on LGBTI persons.

We also welcomed the entry into force of the EU Directive on the right of access to a lawyer, on which we had commented. This directive will now require all EU States to comply with a key safeguard against torture.

Torture prevention in Southeast Asia

For the first time, torture prevention was the theme for an important meeting of the Human Rights Commission of the Association of Southeast Asian Nations (ASEAN). In November 2013 the second Human Rights Dialogue in Jakarta, **Indonesia**, pioneered a discussion on the importance of torture prevention, amongst government representatives, civil society and other actors in the region. The meeting aimed at mapping best practices and to develop a regional agenda to prevent torture and ill-treatment. For the APT, the Dialogue was an opportunity to strengthen our relations with existing partners in the region, and to engage with others. Participants agreed on a joint draft action plan, aiming at establishing an informal regional network on torture prevention for ASEAN.

"We should give torture more visibility within the EU"

Having read a report on children, detained and tortured in unimaginable conditions in Israeli prisons, European Parliament member **Véronique De Keyser**, from Belgium, told herself that the EU could not possibly stand idle:

"These, and other atrocities, happen in countries we hold partnerships and agreements with. Something had to be done!"

The Subcommittee on Human Rights of the European Parliament, which De Keyser is part of, regularly highlights the situation of torture in particular contexts and countries. This time, her initiative led to the first global report of the European Parliament, seeking to contribute to the global eradication of torture. A draft report was ready in November 2013.

"We are hoping for results on different levels. First of all, to coordinate better and give more visibility within the EU to the gravity of the human rights violations of torture. Secondly, to take concrete actions like sending Parliament delegations to monitor places of detention, applying the principle of non-refoulement and better protection for vulnerable groups."



The European Union has developed several instruments to fight torture, including specific EU guidelines on torture and an action plan on human rights and democracy which includes a section on torture. Hopefully the new report will contribute to give a new impetus to the implementation of these tools.

"It is true that most key reports in the European Parliament do not get a lot of visibility and attention in the media. We need to enhance our collaboration with NGOs to make advancements."

APT, as well as other leading anti-torture organisations, has welcomed the initiative and commented on the draft report. Véronique De Keyser is very positive about these consultations with civil society:

"They have provided me with important insights regarding what can be done to advance in the eradication of torture. It was a very effective and thorough work and we included most of the suggestions."

Strategy III: Capacity Strengthening and Interactions

Building partnerships for prevention

Facilitating cooperation among different actors has always guided the work of the APT. During 2013, we have continued to actively promote and facilitate exchanges among international, regional and national actors working on torture prevention, bringing relevant stakeholders together and providing them with advice and tools.

The countries in the Southern Cone of Latin America – **Argentina, Bolivia, Brazil, Chile, Paraguay, Peru** and **Uruguay** – have important challenges in common when it comes to preventing torture and ill-treatment. In August 2013, The Prison Ombudsperson's Office of Argentina, together with the APT, gathered government officials and representatives from international human rights bodies, civil society, National Human Rights Institutions and national and local preventive mechanisms from the seven countries in the Southern Cone for a two-day conference in Buenos Aires to exchange experiences and explore further collaboration.

At the end of the conference participants adopted a joint declaration, which identifies the main challenges for the prevention of torture in the sub-region: the high level of impunity, social legitimisation of torture, punitive culture, discrimination towards groups in situations of vulnerability, the lack of effective internal and external monitoring of places of deprivation of liberty and a crisis of the penitentiary systems. The declaration highlighted the importance of strengthening cooperation among all bodies and institutions working on prevention of torture and other ill-treatment.

The Buenos Aires conference gave a new boost to national processes for the designation and establishment of national and local preventive

mechanisms, by identifying successful strategies adopted in different countries, building synergies among governmental and non-governmental actors and strengthening advocacy actions at domestic level.

Peer-to-peer approach

In the same spirit of promoting the exchange of experiences among national actors, APT has facilitated peer-to-peer exchanges between the National Preventive Mechanisms of **Costa Rica** and **Honduras**. The first meeting took place in Honduras in 2012, and in February 2013 we helped organise a second meeting between the two mechanisms in San José, Costa Rica. Members of the NPMs had the opportunity to discuss, share working tools and methods, and to conduct a joint monitoring visit to a detention facility.

Similarly, in October, we facilitated a working visit to Switzerland by the National Observer of Places of Deprivation of Liberty of Senegal, which included an exchange of experiences and monitoring practice with the Swiss NPM.

Practical training for African NHRIs

National Human Rights Institutions (NHRIs) have an important role to play in the promotion and protection of human rights, including in the prevention of torture. In 2011, African NHRIs expressed their commitment to taking leadership in torture prevention at a high-level conference in



Participants from eleven English speaking National Human Rights Commissions joined the detention monitoring training in Uganda in November

Rabat, **Morocco**. APT has therefore partnered with the Network of African National Human Rights Institutions (NANHRI) to reinforce the capacity of African NHRIs in the prevention of torture. This three-year project includes a series of training activities, both online and face-to-face. In April, participants from 30 African NHRIs gathered in Johannesburg, **South Africa**, for a workshop on investigation of allegations of torture. Several of the participating NHRIs have taken concrete actions as a direct result of the training. The NHRIs in Sierra Leone and Nigeria took on active roles in ongoing anti-torture law initiatives and in Uganda, the Human Rights Commission introduced a specific chapter on investigating cases of torture in its manual on human rights violations.

In November, a detention monitoring workshop was hosted by the **Uganda** Human Rights Commission. Participants from eleven English-speaking NHRIs exchanged experiences and discussed monitoring methodology which they were able to apply in practice during an on-site visit to Luzira Maximum Security Prison.

"The community is powerful in curbing torture"

Despite growing intimidation from authorities, **Pornpen Khongkachonkiet**, Director of the Cross Cultural Foundation, continues to assist marginalised communities, especially torture victims and their families in Southern Thailand, to access justice. She also supports the communities' efforts to address the widespread culture of impunity.

"Community activism is important. There are people in the community that the military will listen to - the Imams, lawyers and teachers. The community is actually powerful in curbing torture."

Pornpen, or **Noinoi** as she is affectionately known, has also been at the frontline for a national campaign to criminalise torture in Thailand. This process is still pending, but the campaign work has increased her commitment to prevent torture and to the cooperation forged between the Cross Culture Foundation and the APT.

In 2013 Noinoi spent six months in Geneva as APT's inaugural Asia Pacific fellow. Her experience with APT has been a remarkable learning journey, which she is looking forward to sharing with her local partners in Thailand.



Among other things, she is writing a handbook on detention monitoring for civil society in Southern Thailand.

"Local groups – understandably – tend to take actions in an ad hoc way. But this can be harmful and reduce their credibility. They need more knowledge on how to sustain their work, especially facing emergencies, and on the legitimate actions that they can take."

The OPCAT remains an important tool to address human rights issues in places of detention and Noinoi is confident that her country will ratify the treaty soon. Only then, she says, can the authorities and civil society in Thailand be fully empowered to prevent torture from happening.

"I now want to help to build capacity among lawyers, NGOs and families. With better knowledge and skills we can have a better dialogue with the authorities, which in the end can lead to structural reforms that ensure better treatment of all persons deprived of liberty in the future."

Capacity Strengthening and Interactions

Providing advice, analysis and knowledge

Implementation of torture prevention strategies requires knowledge, skills and commitment. To make sure that national torture actors have, and keep strengthening, these capacities, we develop and make available practical advice and tools.

The APT, jointly with Penal Reform International (PRI), has developed a unique set of tools (the *Detention Monitoring Tool*) addressing risk factors to prevent torture and ill-treatment. This tool provides analysis and **practical guidance to support monitoring bodies**, in particular National Preventive Mechanisms (NPMs), to fulfil their preventive mandate effectively. It consists of a series of four thematic papers covering broader themes, such as institutional culture in detention or balancing security and dignity in prisons. The thematic papers are complemented by five more practical fact-sheets with advice and check-lists for monitoring bodies on concrete issues such as body searches, staff working conditions or instruments of restraint.

Focus on vulnerabilities in detention

Vulnerabilities of persons deprived of their liberty and how these can be addressed by monitoring bodies are a constant concern for the APT. Groups in situations of vulnerability in detention therefore represent a pivotal aspect of this new tool. For example, lesbian, gay, bisexual, transgender and intersex (LGBTI) persons deprived of their liberty are in many contexts at higher risk of torture, abuse and discrimination. Therefore the PRI-APT Detention Monitoring Tool includes a paper to sensitise monitoring bodies about the specific risks

LGBTI persons face and to provide guidance on how to address them. Another PRI-APT thematic paper deals with the issue of *Women in Detention* and gender sensitive monitoring, and was launched on International Women's Day, 8 March.

Supporting partners in the MENA region

During 2013, we translated "*Preventing Torture – An Operational Guide for National Human Rights Institutions*" as well as "*Monitoring Police Custody: A practical guide*" into Arabic. The training video, which accompanies and complements the Guide, was subtitled in French and - in cooperation with our partner APF - in Arabic.



The complete *Detention Monitoring Tool - Addressing risk factors to prevent torture and ill-treatment* was launched in November and is to date available in English and Russian

We have continued to issue the "Middle East and North Africa – A Torture-Free Zone" e-bulletin in both English and Arabic. In 2013 three issues were published, with various themes relevant to the region, including transitional justice and detention monitoring.

Other tools and resources

The APT's OPCAT Briefing Series was enriched with two timely papers, on "National Human Rights Institutions as National Preventive Mechanisms: Opportunities and challenges" and on "Membership of National Preventive Mechanisms: Standards and experiences".

Following the publication of a Guide on the law criminalising torture in Madagascar in 2012, we made available a CD Rom, providing national actors with easily accessible information on the prohibition of torture worldwide and more specifically in Africa.

We strive to translate our publications and prevention tools in many languages to reach as large an audience as possible and are thankful to our partners who also take the initiative of translating them.



Taking position against attempts to justify torture

Our work for a torture-free world will only be truly effective in societies where torture is rejected by the general public, as well as by political actors, the media, social movements and faith groups. In societies where there are negative attitudes towards people in detention there is also a wider acceptance of brutal treatment and even torture.

For torture to be universally rejected, we need strong public support for the notion that it is unacceptable, in all circumstances and with no exception. Mass media and the entertainment industry have great powers to influence perceptions and values. We therefore reacted strongly to the Hollywood dramatisation of the hunt for and killing

of Osama bin Laden, the film *Zero Dark Thirty*, which claims that the intelligence which led the CIA to bin Laden's hideout was obtained as a result of torture. By justifying - and trivialising - the use of torture the film represents a gross offence to the victims of torture and to the global anti-torture movement.

We also take public positions in reaction to events of particular importance to our mission to promote the prevention of torture and ill-treatment, especially in countries where we have an ongoing engagement. For example, we urged **South Africa** to take action on its commitment to ratify the OPCAT and to set up an independent monitoring mechanism. This came after a shocking series of cases of assault, torture and death linked to police custody, including the case of Mido Macia, a young taxi driver, who died of his injuries after being tied and dragged behind a police car.

We also reacted to the secretly filmed footage from inside

Australia's so called offshore processing centres on Nauru and Manus Island, **Papua New Guinea**, which exposed harsh conditions for hundreds of asylum seekers, including children. Where people are detained, it is essential to have independent oversight to prevent abuse. We called on Nauru, Australia and Papua New Guinea to urgently provide external monitors with access to immigration detention.

Outreach communication

The APT continued to develop its own communication platforms, to provide information, tools and resources for torture prevention actors and to reach both specialists and non-specialist audiences.

The **website** is APT's most important communication tool and in 2013 we launched a Spanish version. We published more than one hundred articles and blog posts on torture prevention news and developments around the world. The most widely used feature of the website is the OPCAT Database, which gathers relevant information related to the ratification and implementation of the torture prevention treaty.

Social media is increasingly important, to communicate but also to listen and monitor debates and current issues in our field of work. We have started to explore the **use of video** to reach out with our messages and to give a voice to our partners. In 2013 we recorded interviews with representatives from the National Preventive Mechanisms of Senegal and Maldives, experts such as the UN Special Rapporteur on Torture as well as



The APT was invited to an event launching a national campaign against torture in Buenos Aires, Argentina, in June
.....

Theatre performance on the occasion of the International Day in Support of Victims of Torture on 26 June in Panama



with the British writer and former prisoner Erwin James.

To accompany the key publication on *Monitoring Policy Custody* we produced a short film where Lowell Goddard, UN Subcommittee on Prevention of Torture, and General Charbel Mattar, adviser on human rights and torture to the Lebanese government, discuss the critical moments of police detention and the benefits of monitoring visits. Later in the year we produced another video, together with the Council of Europe, to encourage parliamentarians to visit immigration detention centres. These short films are also useful training tools.

Key report on prisons in the Americas

We also want to draw attention to other key resources of relevance to the prevention of torture. In June we invited the Rapporteur on the Rights of Persons Deprived of Liberty of the Inter-American Commission on Human Rights to Panama for a public presentation on the report on persons deprived of liberty in the Americas. The report includes comprehensive analysis on a number of relevant issues in the region, such as the use of torture in criminal investigation and conditions of imprisonment.

In his speech, the Rapporteur took the opportunity to stress the need for Panama to establish an independent NPM with sufficient resources to function effectively.



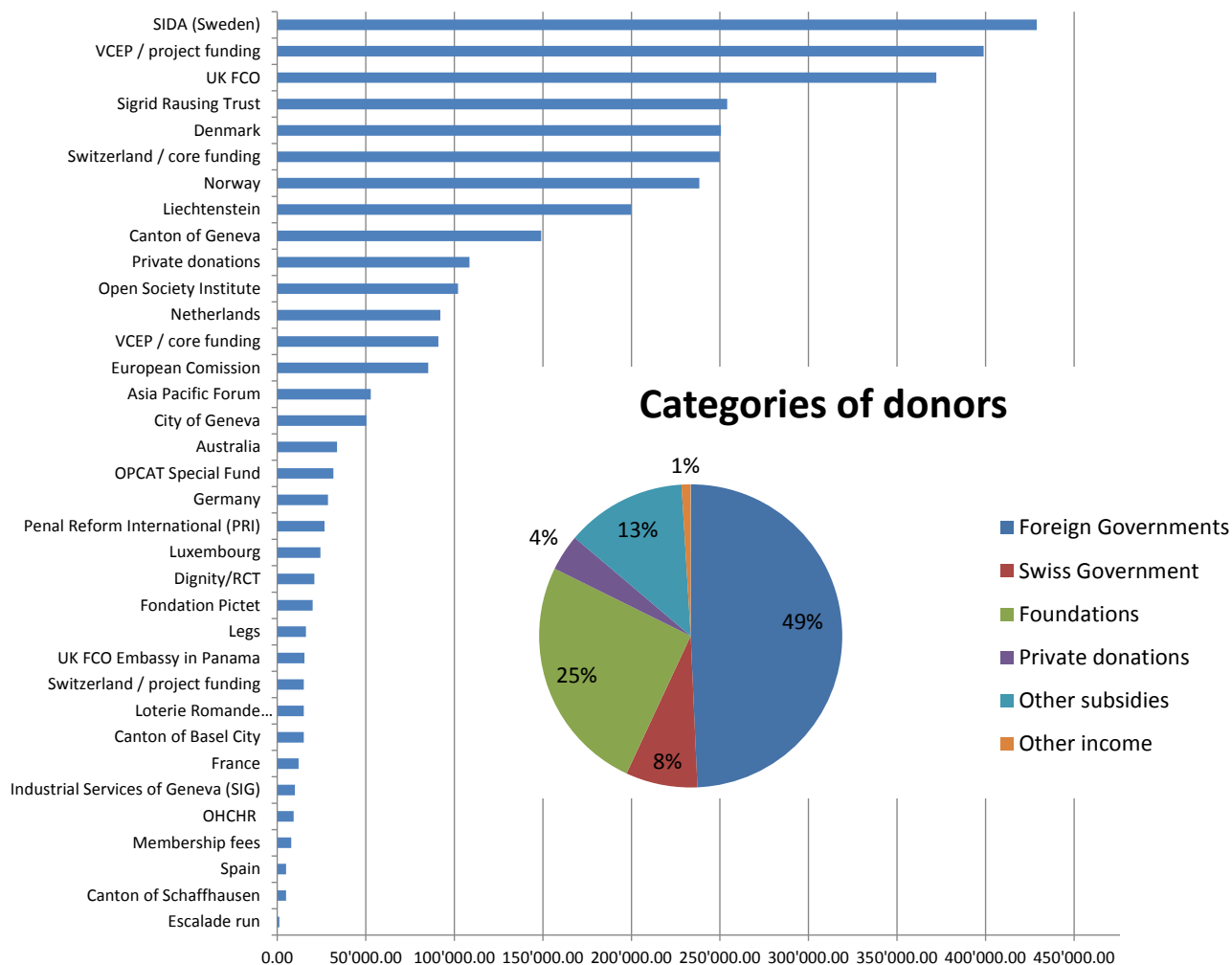
Financial situation and institutional development 2013

2013 was a year of consolidation for APT's fundraising activities and institutional development. As the chart alongside illustrates, the APT continues to develop a wide donor base to provide stability for the organisation to deliver quality work worldwide. The official nomination of our regional office in Panama as "International Organisation" is proof of the high appreciation by the Panamanian government of the APT. The office, which was originally planned to be effective for 5 years, now enters into a new phase – in April 2013, the Board decided to extend its operation until 2018. The APT would like to give a special thanks to the Government of Liechtenstein, for their support of our regional office.

In December 2013, the APT officially applied for ZEW certification. The certification process has already started and is reflected in the presentation of APT's audited accounts, which are fully downloadable on our website. You will see that for the first time, the organisation has integrated a detailed illustration of its earmarked funding situation (pages 17 and 18). The analysis of our expenses is another new element. The APT is proud to announce that to assure its annual budget, it has to invest only 6% of its income into fundraising activities.

The APT is very grateful to all its supporters and donors. We would like to give a special thanks to all donors who entrust the APT with unrestricted funding (SIDA/Sweden, Sigrid Rausing Trust, Denmark, Switzerland, Norway, Liechtenstein (for the Regional Office for Latin America), Luxembourg, VCEP and individual donors). Thanks to them, the APT can act on opportunities to implement its strategy. The APT also wishes to thank its numerous project donors, who contribute to the

implementation of specific projects and activities. Without their support, this annual report would not be as rich in successful results and we are very grateful for that.



Operating Accounts 2013*

Income 2013	CHF
1 Restricted	
Foreign governments	761'252
Swiss government	15'000
Private foundations	530'997
Other subsidies	442'725
Other income	12'320
Total restricted income	1'762'294
2 Unrestricted	
Foreign governments	942'207
Swiss government	250'000
Private foundations	345'037
Private donors	133'846
Other subsidies	1'680
Other income	21'337
Total unrestricted income	1'694'107
TOTAL INCOME	3'456'401

Expenditure 2013	CHF
1 Operations	
Salaries operations	1'140'986
Social charges	185'199
Capacity strengthening and advice	469'051
Travel costs	247'033
Accommodation costs	62'199
	2'104'468
2 Communication and Outreach	
Salaries communication and outreach	354'440
Social charges	52'666
Publication costs	166'681
	573'787
3 Management and Secretariat	
Salaries management & secretariat	410'788
Social charges	71'177
Secretariat costs	159'039
IT - Hardware, software and database	6'934
Staff related expenses	18'038
Office move	34'532
Auditing and legal fees	84'513
	785'021
4 Policy and Strategy	
Meeting and reception costs	10'570
Bureau, Board and GA meetings	42'114
	52'684
Depreciation of fixed assets	135'695
TOTAL EXPENDITURE	3'651'655
Operating Result	195'254
Banking fees and exchange rate difference	23'999
Result before change in funds	219'253
Allocation to restricted funds	1'762'294
Use of restricted funds	1'797'650
Net addition to / (diminution) of restricted funds	35'356
RESULT OF THE PERIOD	- 183'897

* as in annual audited accounts

Balance Sheet 2013*

	31/12/2013
Assets	CHF
Current Assets	
Cash and cash equivalents	787'511
Accounts receivable	340'742
Accruals and other current assets	31'080
Total current Assets	1'159'333
Fixed assets	
Centre Jean-Jacques Gautier	3'106'396
Office material	36'789
Furniture and fixture	130'623
IT hard and software	99'823
Total fixed Assets	3'373'631
Total Assets	4'532'964

	31/12/2013
Liabilities and Wealth	CHF
Short term Liabilities	
Income received in advance	225'800
Liabilities Centre Jean-Jacques Gautier	23'486
Fondation Hans Wilsdorf loan, short term part	144'000
Other liabilities	204'943
Total short term liabilities	598'229
Long term Liabilities	
Fonds Pro Victimis	200'000
Fondation Hans Wilsdorf loan, long term part	360'000
Total long term liabilities	560'000
Restricted Funds	
Restricted funds on ongoing projects	559'574
Restricted funds Centre Jean-Jacques Gautier	2'774'145
Total restricted funds	3'333'719
Wealth	
Reserve fund Centre Jean-Jacques Gautier	261'967
Other reserves	90'000
Balance brought forward	127'054
Result of the period	- 183'897
Total Wealth	41'016
Total Liabilities and Wealth	4'532'964

APT Staff in 2013

Mr Mark Thomson, Secretary General

Ms Barbara Bernath, Chief of Operations

Ms Sylvia Diniz Dias, Director, Regional Office for Latin America, Panama

Mr Jean-Sébastien Blanc, Detention Monitoring Programme

Ms Rosita Ericsson, Communications

Ms Catherine Felder, Administration

Ms Charlotte Fèvre, NANHRI Project

Ms Veronica Filippeschi, Americas Programme, then OPCAT Programme

Ms Paola González, Regional Office for Latin America

Ms Anja Härtwig, Publications

Ms Marcellene Hearn, UN & Legal Programme

Ms Isabelle Heyer Frigo, Americas Programme

Ms Rebecca Minty, Asia-Pacific Programme

Mr Adrian Moore, Web & IT

Mr Jean-Baptiste Niyizurugero, Africa Programme

Ms Tanya Norton, Detention Monitoring Programme

Ms Audrey Olivier Muralt, OPCAT Programme

Ms Iliaria Paolazzi, Africa Programme

Ms Sylvie Pittet, Administration

Mr Vincent Ploton, Fundraising and Institutional Development

Mr Matthew Pringle, Europe & Central Asia Programme

Ms Anna Rottenecker, Fundraising

Mr Matthew Sands, UN & Legal Programme

Ms Esther Schaufelberger, Middle East & North Africa Programme



Photo: Helen Putzman Penet

Standing from left to right: Catherine Felder, Shazeera Zawawi, Jean-Baptiste Niyizurugero, Mark Thomson, Charlotte Fèvre, Barbara Bernath, Matthew Sands, Martine Brunschwig Graf, Tanya Norton, Sylvie Pittet, Jean-Sébastien Blanc, Renaud Gautier, Veronica Filippeschi, Mireille Gheryani, Rosita Ericsson, Adrian Moore.

In the front: Anja Härtwig, Matthew Pringle, Isabelle Heyer Frigo

Ms Maria-José Urgel, Regional Office for Latin America

Ms Shazeera Zawawi, Asia-Pacific Programme

National Advisors

Ms Amanda Dissel, South Africa

Ms Patriani (Mita) Mulia, Indonesia

Fellowship Programme

Ms Pornpen (Noinoi) Khongkachonkiet (from Thailand)

Ms Luísa Luz de Sousa (from Brazil)

Interns & Temporary Staff

Eugenie Andrejuk, Lucia Giavitto, Nathalie Gillieron, Maryam Haq, Emilie Linder, Salome Linglet, Sabine Reimann

APT Board* and Advisory Council in 2013

President

Ms Martine Brunshwig Graf, Switzerland

Vice-President and Treasurer

Mr Renaud Gautier, Switzerland

Board members

Mr Daniel Dufour, Switzerland

Mr José de Jesus Filho, Brazil

Mr Krassimir Kanev, Bulgaria

Mr Michael Kellet, UK

Mr Jacques Lederrey, Switzerland

Ms Jehaan Mahmood, Maldives

Ms Ottavia Maurice, Switzerland / Italy

Ms Susan McCrory, UK

Mr Manfred Nowak, Austria

Ms Monica Pinto, Argentina

Ms Mervat Rishmavi, Palestine

Mr Christian-Nils Robert, Switzerland

Ms Erika Schläppi, Switzerland

Ms Susanne Soukoudé, Togo

Mr Walter Suntinger, Austria

Honorary member

Ms Catherine Gautier, Switzerland

Advisory Council

Ms Maggie Beirne, Ireland / UK

Ms Silvia Casale, UK

Mr Malcolm Evans, UK

Ms Hannah Forster, Gambia

Mr Nejib Hosni, Tunisia

Mr Marco Mona, Switzerland

Mr Bacre Waly N'Diaye, Senegal

Ms Maggie Nicholson, UK

Mr Erik Prokosch, USA

Mr Jean-Pierre Restellini, Switzerland

Ms Paz Rojas, Chile

** elected for 3-year periods by the General Assembly*



APT staff & Board at the Board meeting in November 2013

Back row from left to right: Matthew Pringle, Adrian Moore, Vincent Ploton, Shazeera Zawawi, Anja Härtwig, Krassimir Kanev, Catherine Felder, José de Jesus Filho, Mark Thomson.

Front row: Susanne Soukoudé, Isabelle Heyer Frigo, Esther Schaufelberger, Martine Brunshwig Graf, Pornpen (Noinoi) Khongkachonkiet, Mervat Rishmavi, Michael Kellet.

Who we are

The Association for the Prevention of Torture (APT) is an independent non-governmental organisation based in Geneva, working globally to prevent torture and other ill-treatment.

The APT was founded in 1977 by the Swiss banker and lawyer, Jean-Jacques Gautier.

Since then the APT has become a leading organisation in its field. Its expertise and advice is sought by international organisations, governments, human rights institutions and other actors. The APT has played a key role in establishing international and regional standards and mechanisms to prevent torture, among them the **Optional Protocol to the UN Convention against Torture**.

Vision & Mission

The APT's vision is a world free from torture where the rights and dignity of all persons deprived of liberty are respected. Its mission is to enable actors worldwide to effectively prevent torture and ill-treatment.

To achieve this, the organisation works within four coherent strategies, that we believe are both necessary and effective in the prevention of torture and ill-treatment:

- **Promote transparency and monitoring of places of detention** to reduce the risk of torture and ill-treatment on persons deprived of their liberty.
- **Advocate for legal and policy frameworks** so that torture and other forms of ill-treatment are criminalised and prevented in law and in practice.
- **Strengthen capacities of torture prevention actors and facilitate interaction** to foster

the identification and replication of good practices in detention issues.

- **Contribute to informed public policy debates** so that torture can be universally rejected.

Status

The APT is recognised by the Swiss authorities as a non-profit association. The work of the International Secretariat in Geneva is supervised by an international Board, elected by the Annual General Assembly.

The APT has consultative status with the United Nations, the African Union, the Organisation of American States and the Council of Europe.

APT's regional office for Latin America was granted the status of "International Organisation" by the Panamanian government in 2013.

Funding

The APT is funded by individual donations, charitable foundations, governments and inter-governmental agencies (which are listed on page 24 of this report). However, the APT insists on its independence with regard to policy, strategy and priorities.

Awards

The APT is a recipient of the following awards:

- President of Tunisia Solidarity Award, 2012
- Chico Mendez Prize, Brazil, 2007
- Human Rights Prize of the French Republic, 2004
- Prize of the Foundation for Geneva, 2004



Photo: Lucien Fortunati

Donations to the APT:

Swiss Post Office Account:

CCP 12-21656-7 (only from within Switzerland)

UBS Bank Account:

UBS SA
Case postale
CH-1211 Geneva 2, Switzerland
APT account number: 279-C8117533.0
IBAN: CH62 0027 9279 C811 7533 0
BIC: UBSWCHZH80A

For more information on how to support the APT:
www.apt.ch/support

Photos: APT, if not stated otherwise.

Front cover, from top to bottom: Council of Europe,
Andrew Bossi, UNAMID, OSCE/Igor Schimbător

Lay-out: Anja Härtwig, APT

Printing: Villi®



association for
the prevention
of torture

APT International Secretariat

Centre Jean-Jacques Gautier
Route de Ferney 10
P.O. Box 137, CH - 1211 Geneva 19
Switzerland
Tel: + 41 22 919 21 70
Fax: + 41 22 919 21 80

Regional Office for Latin America

Ciudad del Saber, Edificio 137 A
Clayton, Ancón
Ciudad de Panamá
Republica de Panamá
Tel: +507 317 10 21, +507 317 11 06
Fax: +507 307 14 79

e-mail: apt@apt.ch
Website: www.apt.ch