

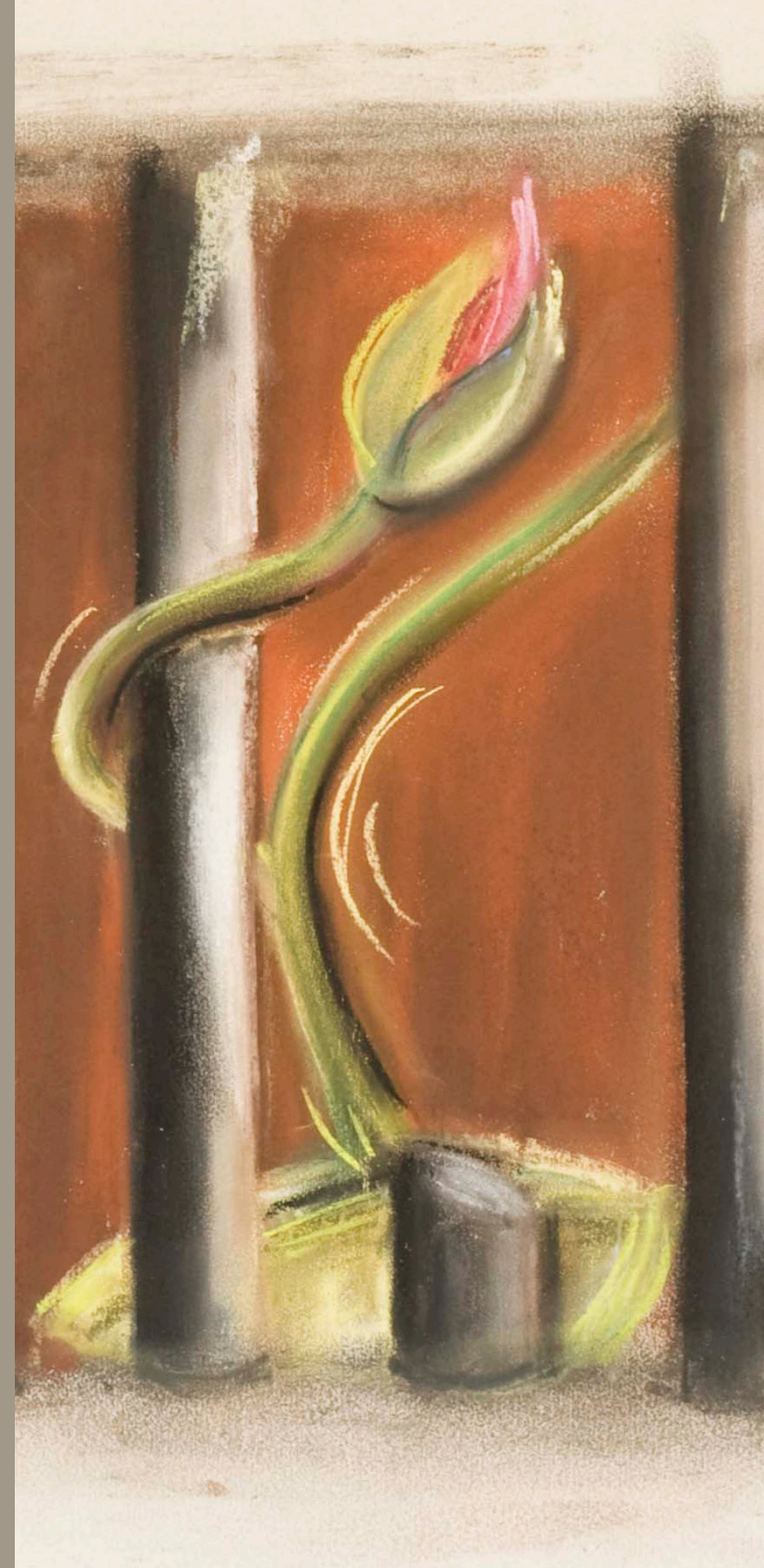
2011 Annual Report

ASSOCIATION FOR THE
PREVENTION OF TORTURE

apt

association pour
la prévention de la torture
association for the prevention of torture
asociación para la prevención de la tortura

Founded in 1977 by Jean-Jacques Gautier
Recipient of the Human Rights Prize of the French Republic, 2004
Recipient of the Prize of the Foundation for Geneva, 2004
Recipient of the Chico Mendez Prize, 2007



Association for the Prevention of Torture - 35 years of work to prevent torture

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

The APT's vision is a world without torture or any other cruel, inhuman or degrading treatment. To achieve this vision the organisation works within three integrated areas:

Transparency in places of detention: Promoting a system of visits by independent experts to prisons and other places where people are held in detention.

Effective laws and policies: Lobbying with governments to ratify the Optional Protocol to the UN Convention against Torture and other international and regional anti-torture treaties.

Capacity for prevention: Creating partnerships for prevention within countries, bringing governments, police services, judges and lawyers, national human rights institutions and civil society together in the fight against torture.

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 of members of the Association.

Funding

The APT is funded by individual donations, charitable foundations, governments and inter-governmental agencies (which are listed on page 21 of this report). However, the APT insists on its independence with regard to policy, strategy and priorities.

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Message from the President



2011 can be qualified as an exceptional year for the APT, with the success of the first Global Forum on the prevention of torture, which I had the pleasure and honour to chair on 10 and 11 November in Geneva.

This event was the result of the gradual but steady development of the APT around certain core values that the Forum has helped to develop:

- ✓ **Expertise:** The APT is an NGO specialising in the prevention of torture, in line with the vision of its founder, Jean-Jacques Gautier, whose 100th anniversary we will celebrate in 2012; this specialisation is our identity and our strength and also requires us to remain at the forefront of thinking and analysis; the discussion topics of the Forum on the 5 years of implementation of the OPCAT reflect this idea.
- ✓ **Partnership:** Over the years, the APT has built a worldwide network with a wide range of actors, including governmental actors, civil society members and representatives of international or regional organisations, many of whom were present at the Forum.
- ✓ **Reflection combined with a presence on the ground:** Through its missions, trainings and workshops, the APT is in contact with the realities on the ground, and can test its tools and issue publications that are useful to the various actors. During the Forum, the thematic discussions combined with the regional roundtables

have showed the usefulness of this mingling between theory and practice.

- ✓ **Discreet commitment:** The APT is primarily a professional and motivated team, discreetly committed to the implementation of the mission of prevention. The Forum has made it possible to lay the groundwork for a communication policy that complies with this principle, while better sharing the work done and the outcomes.

These core values are also recognised and shared by our donors - particularly those who made the holding of the Forum possible - and we would like to thank them sincerely for their support.

If this annual report provides a showcase for the Forum, which mobilised a great deal of energy, it also shows that the APT has maintained its commitments on the ground in all the regions of the world: in Latin America with our Regional Office, but also in North Africa and in the Middle East, where the Arab Spring represents an unprecedented opportunity to advance the prevention of torture. The strengthening of our commitment with the European Union also aims at enhancing strategic support on this issue. The APT is also working on topics other than the OPCAT, as shown by the projects with National Human Rights Institutions in Africa and South Asia or on the role of judges and prosecutors in Madagascar and Nepal.

You will learn numerous other things through this report. I hope it will encourage you to further support the APT and its great team.

Martine Brunschwig Graf
President

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Trends in 2011

A year of re-focussing on quality partnerships

Without a doubt the priority project for the APT in 2011 was to bring together the main actors of the Optional Protocol to the UN Convention against Torture (OPCAT) for a two day Forum to check where

we are and where we want to go in the prevention of torture. It was a massive venture for the APT but it proved to be worthwhile. It not only provided a platform to share experiences, but even more important it was very motivating for Forum participants to confirm that we are making a difference within a new global prevention system, founded on evolving partnerships that have the potential to achieve a lot more. Naturally a special section of this annual report is therefore dedicated to the Forum.

At the Forum we deliberately gave the “platform” to OPCAT States Parties, National Preventive Mechanisms (NPMs), the Subcommittee on Prevention of Torture (SPT), NGOs and other OPCAT actors to show them that this is their process - a rather risky tactic for the host organisation if they then appear to be surplus to requirements! On the contrary I believe the Forum showed how a certain trust in the APT has enabled us to convince a broad variety of actors to move ahead on prevention and how they need the APT to advance further.

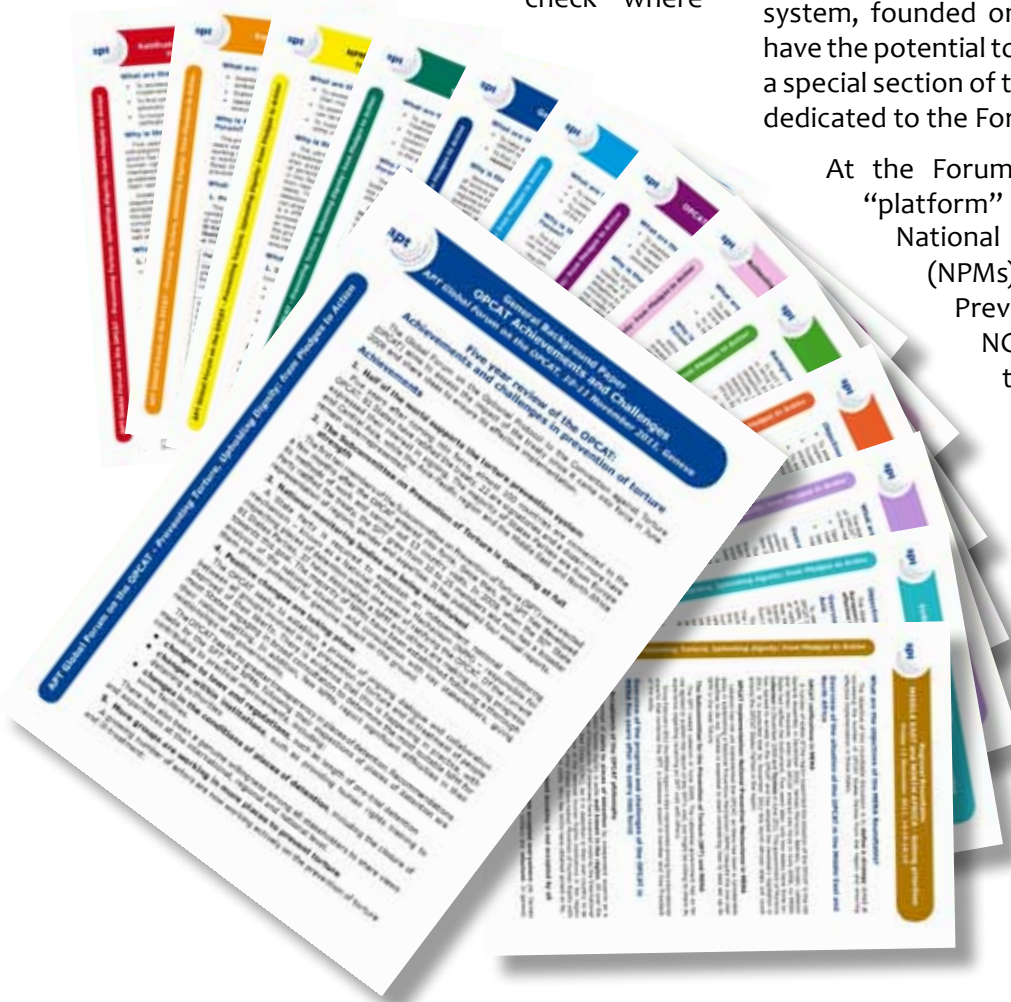
“The importance of prevention in the context of torture, rather than intervention after torture has occurred, is evident.”

Human Rights Monitor Quarterly,
Article on October-November 2011 CAT Session

That requires the APT to not only have vision but also the ability to deliver the required expertise for involving demands in prevention work. Two dozen staff can't do that on their own. Instead we continue to provide ideas, support, advice etc. to others who can do more. For example the United Nations Office of the High Commissioner for Human Rights took several regional initiatives in 2011 to promote the preventive approach, to which of course APT provided papers and speakers.

National Human Rights Institutions (NHRIs) in South Asia benefited from an APT facilitated on-line training course run together with our long standing partners, the APF. Cooperation continued with the Council of Europe in 2011 to help NPMs in Europe to meet regularly and benefit from the advice of the APT, SPT and other experts. A three year capacity strengthening of African NHRIs was launched in Rabat in 2011, with their regional network (NANHRI).

Just as in the Forum the APT tries to also promote cooperation between actors without the APT being directly involved. For example when we heard that Ugandan parliamentarians, who we've been advising on criminalisation of





Mark Thomson, Secretary General of the APT

torture, wanted to meet other parliamentarians who had gone through that legal reform process, we arranged for them to meet their counterparts in the Philippines.

Partnerships don't work too well unless you have some mutual interests and a shared desire to achieve more. In a two day training for all staff on monitoring and evaluation we learnt that this works a lot better if there is a good quality relationship with project partners in the design and implementation of the project. The consequence of that was to introduce by the end of 2011 a new categorisation of our projects (A, B and C) to avoid

spreading ourselves too thinly, to prioritise our actions and invest more in strategic partnerships.

As part of our ongoing interest to better highlight the impact of torture prevention initiatives, we also designed a new project in 2011 which will be commissioned to specialised independent researchers for a multi-year investigation with our partners.

We also learnt last year to communicate better. Following an external review of our communications we then adopted a strategy to improve our ways of communicating our ideas, opinions, expertise and news. Once again with the idea of providing a better service to our partners rather than the general public. The first evidence of our new communications strategy was revealed at the Forum, when APT got unprecedented Swiss media coverage, provided on-line live screening of the event, opened a Forum Facebook page and a dedicated web-page. Furthermore, a month later our first video clip on preventing torture in the MENA region "No one knows about us" was

produced with a Lebanese partner (see MENA programme). This was an eye-opener for us on the potential for films and visual images for getting our messages across to a broader public. So much so that we decided to make improving communication an institutional priority in 2012.

Sometimes you need to persuade people and bigger institutions to enter into partnerships. Following some previous sporadic cooperation with the European Union, in 2011 we decided to better engage with them in Geneva, Brussels and the field. We believe they have an enormous preventive role to play. To do this we chose to participate more in Brussels meetings, especially through a network of NGO's (HRDN, see Europe & Central Asia Programme). We also met more EU diplomats in the field to bring them "on side". Such a systematic engagement strategy with the EU may not bring immediate results but we're convinced in the long run they can become more effective players in prevention.

Even the design of our new offices, which was already half built by the end of year, will offer more services, including meeting and working space for our partners when they are in Geneva.

Finally you, the reader, are an important partner. Please let us know what you think of this report and our work in general.

Thanks for your on-going support!

Mark C.A. Thomson
Secretary General

Global Forum on the OPCAT

In the first-ever global meeting of torture prevention actors, the APT organised the Global Forum on the Optional Protocol to the UN Convention against Torture: **Preventing Torture, Upholding Dignity - from Pledges to Actions** on 10-11 November 2011 in Geneva. The Forum brought together over 300 experts, practitioners and implementers from 90 countries. This exceptional gathering provided a unique opportunity for exchanges among actors working at different levels and sectors – all with one objective in mind: seeking ways to better prevent torture and protect the rights of persons deprived of their liberty. The combination of expertise from all over the world made for rich interactions, in an atmosphere of enthusiasm, sharing and working together.

Time to take stock

In November 2011, five years after its entry into force, 61 countries had ratified OPCAT. A further 21 countries were signatories to the Treaty, with many more expressing interest. The time was right to take stock of how the OPCAT system for torture prevention is working in practice.

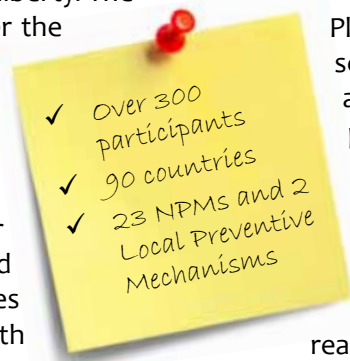
The objectives of the OPCAT Global Forum were to:

- Take stock of progress, results and impact of the OPCAT system;
- Identify challenges, gaps and ways forward in OPCAT implementation;
- Mobilise, via the OPCAT, a variety of potential actors on torture prevention;
- Review the role of the Subcommittee on

Prevention of Torture (SPT) to reinforce its impact;

- Review the role of National Preventive Mechanisms (NPMs) to reinforce their impact;
- Invigorate collaboration and actions to better prevent torture worldwide.

Participants included the majority of States Parties to the OPCAT, States Signatories and NPMs, the SPT, the UN Special Rapporteur on Torture, other UN bodies, regional mechanisms on torture prevention, National Human Rights Institutions (NHRIs) and NGOs active in prevention of torture.



Plenary sessions, parallel thematic sessions and regional roundtables allowed for genuine debates in which participants could actively contribute with their concrete experiences. The regional roundtables enabled key actors from each of the five regions to sit together, in some cases for the first time, to discuss the realities on the ground and strategies needed to better prevent torture through the OPCAT in their parts of the world.

The APT had prepared specific and short briefings which highlighted key issues for discussion. The Forum website (www.apt.ch/opcatforum) provided updated information in French, English and Spanish and included webcasts of all main sessions.

The strengths of a movement

The Global Forum on the OPCAT re-emphasised the urgent need to work on the prevention



of torture. More than ever, the risk of torture exists everywhere. In democratic states, national security commonly triumphs over human rights, for example in the context of the so-called “war on terror” and the means used to obtain confessions. Persisting issues such as overcrowding in prisons and lack of staff inevitably lead to abuses. What is at stake goes beyond prisons and equally concerns migrant or juvenile detention centres, as well as psychiatric institutions.

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Over two days, the Forum demonstrated the strength of the global torture prevention movement. It encouraged those who took part to return to their work with renewed optimism and energy, knowing they are not alone in this endeavour. Most importantly, it affirmed that by working together, it is possible to find concrete solutions and ways forward to challenges faced in preventing torture through OPCAT. It emphasised the role of NPMs on the ground

and how, if effective, NPMs could contribute to changes in the situation of torture and other forms of ill-treatment. Specific issues such as NPM effectiveness and the preventive approach were discussed amongst participants and key methods were identified in which torture prevention and the OPCAT system could be strengthened. In this way, the meeting reflected its title: **Preventing Torture, Upholding Dignity: from Pledges to Actions.**

UN & Legal Programme

Throughout the year the APT continued to lobby States to issue recommendations on the ratification of the Optional Protocol to the Convention Against Torture and on other torture prevention priorities. APT was pleased to see that several States accepted our advice, and pushed for these priorities during regular sessions of the Human Rights Council and its Universal Periodic Review process.

“The current phase is absolutely crucial in terms of paving the way for the Optional Protocol to exert its full potential for the prevention of torture.”

Juan Méndez, UN Special Rapporteur on Torture, in his speech during the OPCAT Global Forum

Engagement with UN mechanisms

In 2011, the international human rights mechanisms at the UN increased their activities in response to the brutal repression of popular protests and the demands for more accountable leadership in the Middle East. 2011 was also significant as it marked the end of the first cycle of the Universal Periodic Review. Against expectations, the UPR Working Group managed to hear Haiti’s review on the very last day, after having been forced to cancel the review earlier. As a result, the first UPR cycle closed with all 193 States having been reviewed.

Early in the year, the APT submitted a paper to the OHCHR on the role of prevention in the promotion

and protection of human rights, in response to the invitation issued by Human Rights Council Resolution 14/5. The APT welcomed the opportunity to share the insights it has gained during the last 30 years, and emphasised that prevention is first and foremost a process that seeks to eliminate the risk of violations through a holistic approach.

The UN Committee Against Torture met over two four-week sessions in 2011 and much was achieved over the course of the year. APT was active at each of the sessions and lobbied experts during State Party reviews. The APT closely followed the election of five Committee members in October and promoted the use of transparent criteria in the selection of candidates. APT also sought to promote transparent criteria for the June election of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

2011 marked the first session of the Committee on Enforced Disappearances. APT celebrated the appointment of the new Committee and sought engagement in an attempt to promote cooperation with other UN bodies. Because of the close relationship between acts of torture and enforced disappearances, the work of this committee will continue to be of interest for the APT in 2012.



Strengthening normative protection of torture

The APT believes that ensuring a robust framework of effective safeguards and remedies is one of the most important ways to prevent torture and has lobbied the Committee Against Torture to develop its draft *General Comment on effective redress for all acts of torture* to include stronger language promoting guarantees that such acts will never happen again.

As in previous years, the APT has advocated strongly at both the General Assembly and the Human Rights Council to promote key issues and support the adoption of their annual resolutions on torture.

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The UN Office of Drugs and Crime continued the process of reviewing the Standard Minimum Rules on the Treatment of Prisoners. APT has been particularly active in this area, participating in expert meetings and lobbying States to ensure that any revision efforts considered practical steps of implementation for national actors, including National Preventive Mechanisms.

At the regional level, the Inter-American Court published the judgment of *Teodoro Cabrera Garcia and Rodolfo Montiel Flores Against Mexico*. The APT had previously prepared an *amicus curiae* brief succinctly demonstrating the obligation to exclude evidence obtained by torture from any criminal process, and was pleased that these arguments featured strongly in the judgment of the Court. This judgment by an influential human rights body reinforces the international prohibition on the use of evidence obtained by torture and will powerfully promote implementation of this key safeguard in States across the region and beyond.

✓ Legal Briefing "The Right of Access to Lawyers for Persons Deprived of Liberty" downloaded over 20 000 times

✓ APT Jurisprudence Guide now also available in: Arabic, French, Portuguese and Spanish

Supporting domestic implementation of international obligations

At the national level, the APT continued to provide advice on implementation of the Convention Against Torture. In February, the APT supported national actors in Nepal to undertake a consultation on the torture, disappearances and fair trial-related provisions of the draft penal and criminal procedure codes. Later in the year the UN and Legal Programme also provided advice to better implement provisions of the Convention in Lebanon and Uganda.



Guards accompanying a detainee, Lebanese prison, 2011

elciudadano

President Obama announces no veto of NDAA

Relator ONU sobre Tortura, Tratos Cruels e Inhumanos visita Chile

ONU põe Brasil sob suspeita de tortura e visitará cadeias e unidades para jovens

Missão promete ser dura com as autoridades, já que não é a 1ª vez que investigação é feita

Não é primeira vez que a tortura no Brasil é alvo de investigação na ONU e a missão promete ser dura com as autoridades, impedindo que as autoridades locais se desculpem e não sejam responsabilizadas.

Congreso "Abolición universal de la pena de muerte y otros tratos o penas crueles, inhumanos o degradantes"

Criminalizing of Torture: Rights Bodies underscore Rationale

ICRC International Committee of the Red Cross

Law to give ICD teeth in police probes

unless the stable government accountable to citizens with the capacity to bring the perpetrators to justice is formed, a practice of torture will remain deep rooted

Detention Monitoring Programme

Despite the ever-growing number of States joining the Optional Protocol to the UN Convention against Torture (OPCAT) and committing themselves to put an end to torture, outside scrutiny within places of deprivation of liberty is needed more than ever. At the same time, with an increasing number of mechanisms carrying out preventive visits, cooperation amongst them is a constant challenge. In March the APT, together with the American University in Washington D.C., organised a conference which gathered the main international and regional bodies to tackle issues related to collaboration and working methods. The APT Global Forum on the OPCAT was also an ideal platform to encourage better exchanges amongst all stakeholders.



Prison cell in a Lebanese detention centre, 2011

Regional and national dimensions

The Detention Monitoring Programme continued in 2011 to deliver trainings and facilitate exchanges on a whole range of issues related to the monitoring of places of detention, including during in-country workshops, regional seminars or through online advice.

Regional platforms are a perfect opportunity for visiting mechanisms to share their experiences. In Europe the APT co-organises the European NPM Project with the Council of Europe, aiming at enhancing the capacity of European national mechanisms. During 2011 The European NPM Project organised in-country workshops (called “on-site exchanges of experience”) and thematic workshops on themes like “Collecting and checking information during a visit” (Estonia), “Security and Dignity” (France) and “Vulnerable groups in detention” (Azerbaijan). Experts from the Subcommittee on the Prevention of Torture and the European Committee for the Prevention of Torture were invited to participate in each activity, contributing to increased cooperation.

Similarly, APT – jointly with the Asia-Pacific



Forum – invited six National Human Rights Institutions (NHRIs) from East Asia to a “blended-training” on torture prevention. The training consisted of a five week online course and a four day workshop in Nepal, including a visit to detention centres in Kathmandu.

National actors, such as National Preventive Mechanisms (NPMs), NHRIs or civil society representatives, are key to the prevention of torture as they are the only ones potentially able to guarantee a daily presence “behind bars”. This is the reason why the APT strives to build capacities in many national contexts. In 2011 the APT trained and supported a number of NPMs (Albania, Armenia, Costa Rica), NHRIs (Mauritania, Montenegro, Philippines) and civil society representatives (the Iraqi “Justice Network for Prisoners” and the Nepali NGO “Advocacy Forum”).

Incarcerated migrants – a worrying tendency

The incarceration of migrants is a more and more common feature in the Western world, where States fail to find alternatives to the detention of irregular migrants. These detainees -in most cases held in custody on an administrative basis-

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Training Seminar for the Philippine NHRI, November 2011

are particularly vulnerable and exposed to ill-treatment. The APT is therefore putting emphasis on the particular risks to which this group is exposed and promotes, wherever incarceration is already a reality, a close monitoring of their treatment and detention conditions. To promote the OPCAT as an instrument for protecting detained refugees, asylum seekers and migrants, the APT participated in regional workshops organised by the International Detention Coalition in South Africa, Lebanon and Malaysia. It is in this same spirit that the APT took part in the 8th International Human Rights Forum on Human Rights and Migration, organised by

Lucerne University in Switzerland.

Mitigating the risk of sanctions

One of the greatest risks of detention monitoring is that the mere contact with visiting bodies might expose detainees to possible sanctions or reprisals. Such sanctions, in addition to the harm done to the detainees, can severely hamper the credibility of visiting mechanisms. Aware of this risk, the APT has participated in various events dedicated to this issue and has published the fourth in a series of APT Briefing papers on detention monitoring, entitled “Mitigating the risks of sanctions related to detention monitoring”, which includes practical advice on how to avoid or at least mitigate such unlawful practices.

The Detention Monitoring Programme has also been working on a guide on monitoring police stations to address the well-documented risk of ill treatment by the police and the ways to monitor these custody settings. The guide will be launched in 2012.

“We had the best time in Kathmandu and it was really the best workshop and training program I have ever participated in. [...] When I returned back from Kathmandu, I am working on a report about the training program [...] [with] the aim [...] to share the topics with other colleagues of AIHRC.”

Mohammad Hossain Nabizadeh, Senior assistant of monitoring and investigation unit, Ghoor provincial office, Afghanistan Independent Human Rights Commission



Africa Programme

2011 was a year of consolidation of the positive dynamic generated by the Dakar regional conference in 2010. The Plan of Action adopted in Dakar has created a regional awareness of the need to strengthen individual and collective efforts to prevent torture in Africa. This consciousness has progressively been translated into several actions which reflect common directions:

- Focus on effective implementation of existing instruments such as the OPCAT and the Robben Island Guidelines;
- Strengthening cooperation and coordination between national, regional and international actors; and
- Adopting more comprehensive strategies on prevention, including the criminalisation of torture.

Strategic consultative meeting on the OPCAT in Africa

On 9 November, prior to the Global Forum, the APT organised a regional consultation on the OPCAT in Africa. The aim of the event was to build on the momentum of the 2010 Dakar conference on torture prevention in Africa and to take advantage of the unique occasion provided by the Global Forum to facilitate an in depth analysis on what should be done in Africa to make the OPCAT system work.

Thanks to a lively interaction between different countries and with regional and international actors, some urgent concerns for Africa were identified. These include a lack of political will

to implement the OPCAT, structural problems of African NPMS, weak action of the Subcommittee on Prevention of Torture and a need to strengthen the role of civil society and to adopt a more inclusive victim-centred approach.



Participants of the regional consultation committed to strengthen their efforts in following some shared ways forward and to prioritise the establishment of inclusive national coalition groups that can make the link between ratification and effective implementation. They also decided to focus on the establishment of effective NPMS, to support existing ones through coordinated action and to promote SPT leadership. To promote more concrete and effective regional cooperation, the idea of setting up a regional network on the prevention of torture was launched.

Institutional development of regional actors

During 2011, the APT supported the development

of a strategic plan and appropriate working methods for the Committee for the Prevention of Torture in Africa (CPTA). During a training workshop facilitated by the APT, CPTA members assessed the performance of the mechanism, its challenges, vision, mission, strategic objectives and activities. The workshop produced a draft three year strategic plan for the CPTA for 2012 to 2014. It is hoped that the strategic plan will give more clarity to the CPTA mandate, add impetus to its work and improve its performance and visibility in the discharge of its mandate of making effective the prohibition and prevention of torture on the African continent.

“An African continent united against torture” was the leitmotif and the name of the declaration adopted by participants at the high level conference on the role of National Human Rights Institutions in the prevention of torture in Africa, which took place in Rabat on 7-8 September 2011. The meeting gathered representatives of African NHRIs, the Chairperson of the UN Subcommittee

“One of the strengths of the APT is that it accompanies its partners all the way to a good implementation. It did not let us down half-way through the activities, but continued to support us. APT does not impose its ideas, but instead takes the time to explain why it is important to fight against and prevent torture. APT makes it possible to discuss and think together about activities to implement.”

Marie Solange Razanadrakoto, Director-General of studies & reforms, Ministry of Justice of Madagascar

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for the Prevention as well as other international experts from the Office of the High Commissioner for Human Rights. The conference was part of a larger strategy that the APT and the Network of African National Human Rights Institutions has put in place. The three year project includes a series of practical capacity building and experience sharing activities for NHRIs aimed at reinforcing their capacity to deal with the most challenging issues related to the prevention of torture.

UNCAT domestication and implementation

The APT continued to support the adoption and the implementation of comprehensive national anti-torture legislation. In Madagascar, the APT conducted a training session for law enforcement officials and elaborated a training module on the prohibition and prevention of torture, to be integrated in the curricula of the main training schools for law enforcement professionals.

A group of active participants is now working with the APT and the Ministry of Justice in order to consolidate its competence and take up the role of national resource persons on the prevention of torture.

In South Africa, the APT has continued to push for the adoption of the anti-torture bill by supporting the civil society campaign against torture, participating in the Section 5 Committee meeting and by attending a hearing organised by the Portfolio Committee on Correctional Services of the South African Parliament.

Finally, the APT facilitated the benchmark visit of the Uganda Parliamentary Committee on Legal and Affairs to the Philippines. The APT also provided further substantial input on the draft anti-torture bill and strategic advice to partners for its prompt adoption.



Regional consultation on OPCAT “One voice, multiple actions against torture”, Geneva, November 2011

Tortura en África persiste por la mala voluntad política, según un experto
 de 04 de septiembre de 2011 - 10:26 AM

La prevalencia en la tortura en África depende de muchos factores "y entre ellos la mala voluntad política", dijo a Efe Jean-Baptiste Juan-Baptiste Nyabuzungu, presidente en el marco de la conferencia de alto nivel sobre "el papel de las instituciones en la prevención de la tortura en África" celebrada el 7 y el 8 de septiembre, reconoció que en el pasado la tortura ha sido bastante común en el continente.

En un momento del evento subrayó que en los últimos tiempos ha crecido la conciencia de que es una práctica que va en contra de los valores africanos.

Pero Nyabuzungu, que lleva seis años trabajando en el APT, organismo con sede en Ginebra, el fin de la tortura depende de cambios en mentalidades.

En África "realmente, hay países que han dado un paso en la lucha contra la tortura y son "los países que han estado buscando la cooperación, y una cooperación a largo plazo con la experiencia de la Oficina de Extranjería y Reconstrucción, Sudáfrica (OEA) con la Comisión de Reconstrucción Nacional".

En cuanto a la evolución en la prevención de la tortura, Nyabuzungu subrayó que es un proceso que está experimentando un momento de "revisión" y que el Estado debe estar preparado para reconocer el papel de los actores no estatales.

En relación con las resoluciones adoptadas, Nyabuzungu afirmó que cualquier sesión de confidencia es un terreno propicio para la creación de las "estructuras jurídicas" que el Estado debe tener en cuenta.

En este momento, lo que hay que hacer es en el futuro, en opinión de Nyabuzungu, es que las nuevas instituciones que se crean sean viables y sean capaces de hacer los cambios que se necesitan.

Finalmente, dijo que el futuro de la tortura en África depende de la voluntad política de los líderes políticos.

Para él, hay que esperar el Estado de derecho, subrayando que se trata de una combinación entre "la necesidad de la ley y la voluntad política".

Americas Programme

With the ratification of the OPCAT by **Panama** and the signature by **Venezuela**, work on OPCAT advanced significantly in the Americas in 2011. A new National Preventive Mechanism was established in Paraguay and the first Local Preventive Mechanism (LPM) started to function in the State of Rio de Janeiro. However, implementation processes in the region remains slow and there is still a need to establish effective monitoring mechanisms to prevent torture and other ill-treatment.



- ✓ 1 new State party (Panama)
- ✓ 1 signature (Venezuela)
- ✓ 1 NPM law adopted (Paraguay)
- ✓ 1 LPM operational (Rio de Janeiro, Brazil)

Office); but also in the State of **Minas Gerais**, where the APT participated in a seminar to promote the designation of an LPM. In **Argentina**, the members of the **Chaco** LPM were designated and a law creating a new LPM was adopted in the province of **Mendoza**.

Increased transparency in detention places

In addition to training of preventive mechanisms, the APT continued to strengthen the capacity of other actors, including civil society, public defenders and public prosecutors. In Brazil, APT organised

“[The APT visit] was not only valuable in terms of sound counselling, but it also allowed us to develop areas of reflection and analysis on the NPM’s work [...] thanks to the APT we’ll now have a [...] more mature vision and are willing to consolidate our work and the mandate of the mechanism.”

Participant in APT training course in Costa Rica

approval by the Senate. In the context of a visit by the SPT, the Government of Brazil introduced a draft NPM law before Congress.

The APT, accompanied by an SPT member, carried out a mission to **Chile** in December to discuss with all stakeholders how the National Institute of Human Rights can perform the NPM function.

While progress on the national level has been slow in Argentina and Brazil, positive developments continued to take place at the local level (states or provinces). In Brazil, the **Rio de Janeiro** Local Preventive Mechanism started functioning and the APT organised, jointly with the Human Rights Secretariat of Rio de Janeiro, a detention monitoring training with members of the newly appointed mechanism. Other developments in Brazil included the adoption of an LPM law in the State of **Paraíba**. Discussions towards the establishment of LPMs also progressed in the State of **São Paulo**, as a direct result of APT’s lobbying and trainings over the last two years, in close partnership with local institutions (*Pastoral Carceraria*, *Conectas* and the Public Defenders



3rd prize winner of ICCPPC Art in Prison contest 2010, Christopher, Mexico

Advocacy for OPCAT implementation

The APT focused its work on OPCAT implementation by providing training to existing NPMs in **Mexico** and **Costa Rica** and advocating for the establishment of independent functioning NPMs. After years of stalled processes, there were positive developments in **Argentina**, **Brazil** and **Paraguay**, countries in which the APT has been engaged for years. The NPM law was adopted in Paraguay in April, while in September the House of Representatives in Argentina adopted the draft NPM law, which is now pending final

PREVENTION IN THE MEDIA

detention monitoring trainings in the States of Minas Gerais, Pernambuco and São Paulo. As a result, the Public Defenders' Office is considering designating a specialised interdisciplinary unit to carry out preventive visits to places of detention throughout the State of São Paulo.

In Argentina, the APT trained public defenders in Buenos Aires, and took part in a detention monitoring training of the Prison Ombudsman's Office in the province of Córdoba. The APT also greatly contributed to guaranteeing access to places of detention for public defenders of the province of Neuquén, where access had been denied for years. An official letter to the Supreme Court of the province resulted in a resolution to allow free access, without any limitation or restriction.

Building bridges among torture prevention actors

The APT worked with a wide range of actors to strengthen the prevention of torture. It provided support to the UN Subcommittee on the Prevention of Torture (SPT), in preparation for a visit to Brazil in September. During this visit, the APT participated, jointly with two SPT members, in a high-level seminar convened by the Human Rights Commission of

the Rio de Janeiro state parliament to gather support for the LPM and ensure that it is granted sufficient funding. The APT also facilitated exchanges between SPT members, NPMs and civil society organisations on the occasion of its Global Forum held in Geneva in November.

At the regional level, the APT participated in the OHCHR regional consultations in Chile on the implementation of the Special Rapporteur on Torture's recommendations in Latin America. The APT also took part in a meeting in Washington D.C. on how to strengthen cooperation between international and regional mechanisms against torture. The APT successfully advocated for the incorporation of OPCAT implementation as a priority for the new Institute on Public Policies on Human Rights of the MERCOSUR, and for the adoption of the Latin American parliament, which called on all states to ratify OPCAT.



O Brasil que ainda tortura
O que a delegação da ONU, que virá ao Brasil em setembro, irá encontrar em todo o território nacional

De olho nos presídios
Realizada em oficina, promotores de justiça monitoram locais de privação de liberdade em São Paulo

Tortura deve previnir evitando situações de risco
Miguel Montenegro, diretor de CDHES, explica em um fórum sobre a ratificação do convenio contra a tortura no Chile

Relator ONU sobre tortura realiza inédita reunião regional com organizações de la sociedad civil y derechos humanos de Latinoamérica
Lectur Claudio Rodríguez Díaz Co Latino

Gobierno anuncia programa contra tortura con fiscalización de presídios
Agencia Bae

Representantes de organismos de prevención de la tortura se reunieron con Legislación General
El evento fue el primer encuentro de este tipo en el continente latinoamericano

Asia-Pacific Programme

OPCAT ratification remains low in the Asia-Pacific region. During 2011, the APT continued to be active in some key target countries, in the hope that progress there could lead to a domino effect.

APT continued its cooperation with National Human Rights Institutions (NHRIs) and their regional network. Processes of legal reform, and in particular consultations regarding criminalising torture, are also contributing to the slow but steady progress of torture prevention in the region.

Critical mass of OPCAT ratifications

With three ratifications (Cambodia, Maldives, New Zealand) and two signatories (Australia, Timor Leste), the Asia-Pacific region remains

underrepresented in terms of OPCAT implementation globally. In 2011, the APT continued to actively advocate for ratification in two key countries in the region - the Philippines and Australia. In the Philippines, the ratification bill was transmitted to the Senate in January 2011. The APT's Global Forum on OPCAT in November gave new impetus to the Senate debates and the ratification bill was approved by Committee of Foreign Affairs in December 2011. However, deputies included in the bill the possibility of temporarily excluding the mandate of the Subcommittee on the prevention of torture (SPT). This would be the first time that the opting out clause (according to Article 24 of the OPCAT) would be used to exclude the international

component of the OPCAT system. It is hoped that the **Philippines** will ratify in 2012.

In **Australia**, which signed the OPCAT in May 2009, there are specific challenges for OPCAT implementation posed by the federal structure of the State. Internal discussions on possible NPM options have started between the Federal authority and the States and Territories. They included consultations with a range of stakeholders. The APT participated in a video conference convened by the Attorney General's Department to discuss challenges to OPCAT implementation with authorities at different levels and with the participation of the Chairperson of the SPT.

In the **Maldives** – the first State party in the region (2007) – the APT was actively involved in OPCAT implementation and in ongoing support to the NPM. In July 2011, the first ever “National Dialogue on Torture Prevention” was held, placing the Maldives at the forefront of OPCAT implementation efforts. This event, facilitated by the APT, brought together representatives of authorities -in particular the Ministry of Interior, but also directors of places of detention- with the NPM and a representative of the SPT. All actors agreed on the importance of cooperative dialogue and, as a direct result of the event, OPCAT focal points were designated within relevant ministries.

Much needs to be done to reach a critical mass of States Parties in Asia-Pacific. During APT's OPCAT Global Forum, the regional round-table



The APT facilitated the “First National Dialogue on Torture Prevention”, which took place in the Maldives in July 2011

PREVENTION IN THE MEDIA

“There have ... been many advances, most notably a dramatic reduction in the incidence of torture, partly as a result of the setting-up of the National Preventive Mechanism within the Human Rights Commission of Maldives.”

Navi Pillay, High Commissioner for Human Rights to the UN, visited the Maldives in 2011

highlighted the need for further campaigning in the region to explain the specificities of the OPCAT and defuse some persisting misconceptions about the preventive nature of the treaty and the role of the SPT.

Support processes of legal reform

In 2011, legal reform and in particular criminalisation of torture was at the core of the activities in **Nepal**. Together with national partners -the National Judicial Academy and the NGO Advocacy Forum- the APT facilitated a consultation on provisions in the draft criminal code and criminal procedure code relating to torture, disappearances and fair trial. Later in the year, the APT supported a conference organised by the National Human Rights Commission to review progress made in this area of legal reform.

The process of legal reform is continuing in **Thailand**, following the successful consultation organised by the APT and its partners, the Ministry of Justice of Thailand and the International Commission of Jurists, in December 2010. Meetings with representatives of the Thai

government were held in March and September 2011 to maintain the momentum. In a positive development, both Thailand and Nepal accepted recommendations during the UN Universal Periodic Review this year to criminalise torture.

Strengthened capacity of key actors

In the Asia-Pacific region, NHRIs play a key role in bridging the international human rights obligations and domestic implementation. The APT has a long history of partnership with the regional network of NHRIs -the Asia Pacific Forum- and was able to participate in its annual conference in Bangkok. As in 2010, APT and APF carried out a joint sub-regional blended learning on torture prevention. This year, 26 staff of NHRIs from South Asia (Afghanistan, Bangladesh, India, Maldives, Nepal, Sri Lanka) participated in an online course on torture prevention followed by a face-to-face workshop in Nepal (see Detention Monitoring Programme).

The APT was also able to follow-up the previous sub-regional blended learning for South-East Asia (2010), with a detention monitoring training for the staff of the Commission on Human Rights of the Philippines. This training enabled the Commission to start implementing its action plan to carry out preventive monitoring.

✓ 73 people trained on detention monitoring
✓ 20 judges and civil society representatives trained on torture prevention



Asia Pacific: Successful Immigration Detention Workshop held in Malaysia

The IDC, together with the Asia Pacific Refugee Rights Network (APRRN) and the Asia Pacific Regional Immigration Detention Working Group (IDWG) Workshop in Kuala Lumpur in late November 2011, saw approximately 50 participants from 18 countries. The workshop aimed to enhance collaborative, capacity and work on immigration detention in the region and to further expand implementing regional and national action plans.

Training included detention monitoring by the Association for the Prevention of Torture (APT) and Servicos de Tortura (otherwise known as Foundation House).

Participants then worked within their sub-regions to explore target messages, tactics and actions throughout the workshop, including groups from East, South and South East Asia. Discussions were vibrant and strong ideas emerged on how to enhance opportunities to further release options for vulnerable groups, alternatives to detention, particularly for children in detention, and enhancing access and monitoring.

A workshop report will be completed this month, and a regional press release will issued during the workshop calling on governments to end the detention of children and commit to a number of detention Convention. [Click here](#) to download.

Thanks to all who attended for their enthusiastic involvement and support, and especially thanks to our hosts at APRRN and also our Malaysian members, for all their work on the workshop.



MEDIA RELEASE

Victims demand first Pacific Island Nation to join the universal ban against torture

... to the ...

Role of Stakeholders Stressed on Torture Prevention

Katili: A Regional level Workshop on Torture Prevention was conducted by NHRIC regional office, Dhahabha in Kancharpur Mahendranagar, Kancharpur Mahendranagar, Kancharpur District Judge of Court, District Judge of Kancharpur District Police Officer Pawan Kumar Kharel delivered the inaugural speeches at the programme.

The two-day long workshop programme was attended by representatives of the law enforcement agencies of the Government of Nepal, Judiciary and Quasi-judicial and human rights bodies, human rights activists, representatives of Nepal Bar Association, Officials of Nepal Police, Officers of Armed Police Force, Officials of Forest Office, Jail, Legal professionals among others. The participants hailed from Butkhi, Dada, Daddhura, Achham, Kailali and Kancharpur district. During workshop programme, various resource persons facilitated the training with regard to the impact and identification of torture in line with the international legal provision, practicalities and the role of the stakeholders and national and international legal provisions.

Asia Pacific Refugee Rights Network

NGOs urge Asia Pacific governments to end the immigration detention of asylum seekers

Regional meeting in Malaysia addressed concerns about the growing use of immigration detention and the need for alternatives to detention in Asia Pacific.

Kuala Lumpur: 26th November 2011. Fifty non-governmental organisations (NGOs) from 18 countries met on Thursday and Friday to address the growing problem of immigration detention in the Asia Pacific region. In increasingly restrictive laws, some regional states in the East, including Malaysia, have found that immigration detention is not always necessary and does not deter migration. Alternatives to detention should be cheaper, faster and effective.

In South, South East and East Asia, many individuals are detained for primary or secondary reasons between international agreements, and need the right to be released and to have their case heard.

International Detention Coalition (IDC) Director, Conrad Mahapatra, said: "This is an international meeting, which has been brought to be greater than any other. We need to increase the likelihood of all detained asylum seekers and vulnerable physical persons have the right to be released, with adequate and universal physical protection over the long term."

To address this, many States have been working and implementing an integrated approach, which has been found to be greater than any other. We need to increase the likelihood of all detained asylum seekers and vulnerable physical persons have the right to be released, with adequate and universal physical protection over the long term."

In line with international standards, there should be a proportionate / immigration detention, which may be used to meet the needs of the public, independently monitored and with adequate and universal physical protection over the long term."

NGOs are urging governments across Asia Pacific to take part in the Geneva Convention to connect and the demands of the Asia Pacific Refugee Rights Network (APRRN) Coordinator, the

30 NOVEMBER 2011

Detention conditions: degrading, intolerable and inhumane

PHIL LYNCH

Conditions of detention in Australia have been in the news recently.

In April, an independent report tabled in Western Australia's parliament described prison conditions in that state as "degrading, intolerable and inhumane".

Recent reports from Victoria's Ombudsman have been similarly critical, variously describing conditions in youth detention facilities, police cells and the Melbourne Custody Centre as "appalling", "distressing" and "incompatible with basic human rights".

Inhumane conditions of detention are not confined to correctional facilities. Nor are they confined to the mandatory immigration detention facilities so infamously described by Australian of the Year Professor Patrick McCoy as "batteries for mental illness" and by the Australian Medical Association as "a form of child abuse".

Inhumane conditions also persist in many mental health and disability services. Indeed, the deaths of at least 36 people in Victorian psychiatric wards in the last three years, together with widespread allegations of physical and sexual abuse of patients, are a stark testament to the inhumane conditions that make Australia's implementation of the UN's Optional Protocol to the Convention against Torture and Ill-Treatment so imperative, and the two-year delay in ratifying that treaty since Australia signed a 2009 so-called.

The Optional Protocol is an international treaty which aims to prevent ill-treatment and promote humane conditions by establishing systems for independent monitoring and inspection of all places of detention.

It is not only in the interests of persons deprived of liberty, but also the broader community, that all places of detention – whether prisons, psychiatric hospitals, police detentions are treated with basic dignity and respect. Independent inspections and oversight are critical in this regard.

At the national level, the Optional Protocol requires that countries establish what is

Europe and Central Asia Programme

Europe and Central Asia continued to be the dominant region for the ratification of the Optional Protocol to the UN Convention against Torture (OPCAT). While just three new countries ratified the instrument in 2011, nearly half of all global ratifications could still be found in the region. Two countries formally designated their National Preventive Mechanisms (NPMs) in the year, bringing the regional total to 23 institutions. Despite this progress, noticeable gaps and challenges in relation to establishing and designating NPMs still exist.

The OPCAT inevitably remained a key focus for the APT in the region both in respect to the ratification and the putting in place of effective NPMs. The APT was for example heavily involved as the Implementing Partner in the Council of Europe / European Commission's *European NPM Project*.

Towards OPCAT implementation in Turkey

The APT's focus on effective OPCAT implementation in **Turkey** continued throughout 2011, for the purposes of which three missions were undertaken to the country in July, September and November. The ratification by Turkey of the OPCAT on 27 September was an important turning-point in the year, after which national discussions on possible implementation appeared to accelerate.

“I learned a lot and made many useful new contacts. I've returned to London full of enthusiasm for work on OPCAT and rolling out implementation of our new torture prevention strategy.”

Torture Prevention Desk Officer, Human Rights and Democracy Department, Foreign & Commonwealth Office, UK
.....

On 3 November the APT and its partners, Human Rights Centre of Ankara University and the Human Rights Foundation of Turkey, convened a high-profile experts' meeting, attended also by the Chairperson of the SPT, at Ankara University to discuss this key issue. During the meeting particular criticism was levelled at a government draft initiative to create an NHRI which would also act as the country's NPM. Despite the criticism, the exchange still represented a moment of constructive dialogue between various disparate actors, including from government and civil society. Shortly after the experts' meeting, the government took the decision not to further proceed with the NHRI draft law and to implement the OPCAT by other means.

The experts meeting and the two other missions to Turkey took place in the context of a three-year European Commission funded torture prevention project. The latter came to a close at the end of 2011.

Supporting NPMs in the Balkans

The APT undertook and participated in various OPCAT related activities in the wider Balkan region in 2011, involving a total of five visits to Albania, Montenegro, Serbia and Slovenia. Several of these missions aimed at ensuring the effective functioning of NPMs.



Prison grounds, Poland
.....

PREVENTION IN THE MEDIA

- ✓ 2 new States Parties (Bulgaria and Turkey)
- ✓ 3 NPMs designated (Croatia, Montenegro and Serbia)
- ✓ 1 new operational NPM (Serbia)

In April the APT was invited by the OSCE Mission to **Montenegro** to help re-orientate the activities of what is likely to become the future NPM in the country, the Protector of Freedoms and Human Rights (Ombudsperson). In August 2011 amendments were made to the Law on the Protector of Human Rights and Freedoms which designated this institution domestically as the NPM.

Later in the year APT participated in two separate activities in the **Serbian** capital, Belgrade, aimed at strengthening the activities of the Protector of Citizens (Ombudsperson), formally designated as the Serbian NPM in late July. In mid-October the OSCE Mission to Serbia invited the APT for a one-day exchange with the staff of the institution as well as the Ombudsperson's Office of Vojvodina to discuss various key NPM related issues deemed important for the future functioning of the mechanism.

The APT returned to Serbia in November on the invitation of the Ministry of Human and Minority Rights for a high-level conference designed to put in place the necessary conditions for the effective functioning of the NPM. This event was attended by an array of national and international actors, including from the SPT and other NPMs. The APT's former President, Marco Mona, represented the APT.

Engagement with the European Union

Throughout the year the APT strengthened its engagement with the EU with a view to preventing torture and ill-treatment both within and outside its borders. The APT became a member of the Human Rights and Democracy Network (HRDN) NGO coalition and undertook various initiatives with fellow HRDN members, for example contributing to the revision of the EU Guidelines on Torture. The APT also submitted its own response to a consultation on an EU Green Paper on detention.

Furthermore, the APT has been involved in HRDN initiatives related to the ongoing revision of the EU human rights policy and has made appeals for more coherence in internal and external EU action related to torture prevention. The APT aims to further enhance its approach to working with the EU by implementing an EU strategy during 2012 and beyond.



Middle East and North Africa Programme

Who would have thought, back in 2010, that **Tunisia** would become the first state in the North African region to ratify OPCAT? The year 2011 demonstrated how the sheer human desire for dignity can bring down heads of repressive and corrupt States. “**Stop torture**” was one of the key demands of the popular movements across the region and APT’s call for enhanced commitment to torture prevention continued to be a priority throughout the year.

Increase commitment to the OPCAT

The APT continued with its efforts to increase commitment to the OPCAT in the region while trying to adapt to new opportunities and threats to human rights. The OPCAT movement obtained some headway: in addition to Tunisia’s ratification, **Morocco** completed the internal process of preparing for ratification, Mauritania signed the instrument and a bill to establish a National Preventive Mechanism (NPM) was introduced in the Lebanese parliament.

The APT was involved in different ways in these processes. The Tunisian ratification came as a very positive surprise and might have encouraged others in the region to accelerate efforts. The APT followed up with raising awareness about the obligations and the potential of the OPCAT. In Morocco, the APT has been working for several years to prepare the ground for OPCAT ratification, jointly with the National Human Rights Council,



governmental partners and NGOs. With reform processes accelerating in the context of the “Arab spring” in the country, the law on OPCAT ratification was passed in September. The decision coincided with a high level conference entitled “An African continent united against torture”, organised in Rabat by the National Human Rights Council of Morocco and the APT.

In **Lebanon**, an innovative draft bill to establish an NPM as an autonomous committee of a new National Human Rights Institution was introduced in parliament in October. The draft is the result of an intense consultative process in which the APT was involved, most recently during a mission to Beirut in September.

As in Morocco, the National Human Rights Council (NHRC) of **Mauritania** played a key role in respect to the signature of the OPCAT by the authorities. In April, the APT and the NHRC organised a workshop on torture prevention and detention monitoring in Nouakchott, in collaboration with national and international partners. Subsequently, Mauritania signed the OPCAT in September.

Not all OPCAT

“If, one day, a people desire to live, then fate will answer their call. And their night will then begin to fade, and their chains break and fall.”

“To The Tyrants of the World” by Tunisian poet Abu al-Qasim al-Shabi (1909 - 1934)

lobby efforts have been met so quickly by success. The APT has repeatedly called upon the **Egyptian** authorities to ratify the OPCAT but has still not seen any commitment for real anti-torture reforms. The APT also called upon the Kingdom of **Bahrain** to strengthen safeguards against torture and ratify the OPCAT, in a public submission to the Inquiry Commission and through an intense lobby effort, but it remains to be seen if Bahrain is willing to open its detention places to human rights experts.

Improving implementation of the UNCAT

Throughout the MENA region, much needs to be done to strengthen safeguards against



An APT film by Carol Mansour

PREVENTION IN THE MEDIA

torture and to adopt legislation that ensures that perpetrators of torture are brought to justice. Likewise, there is ample room for improving the cooperation between States and the Committee against Torture, in particular for countries like Lebanon and Mauritania whose initial reports are long overdue. APT's lobby efforts for the ratification of the OPCAT therefore go hand in hand with support to partners aimed at improving the implementation of the Convention against Torture. The APT has, for example, provided advice to key stakeholders in Lebanon on amending legislation to criminalise torture. The APT has also provided training on safeguards against torture in Mauritania.

APT has also contributed to the debate on transitional justice in the region, focusing on how to ensure non-repetition of torture. The APT presented its paper on "Eight building blocks for a torture free future" in Cairo in December 2011 and will work further on this in 2012.

Sharing best practices on torture prevention

To promote the OPCAT the APT translated existing

material into Arabic and collaborated with Lebanese film maker Carol Mansour to produce a short film in Arabic, "No one knows about us". Other activities were more traditionally oriented towards building capacities and knowledge of key allies, in particular National Human Rights Institutions and NGOs. The APT also participated in a high level dialogue between European and Arab National Human Rights Institutions on how to eradicate torture.

As in other regions, the APT cooperated with the International Coalition against the Detention of Migrants and provided capacity building on detention monitoring to civil society activists from the region during their first regional gathering in Beirut.



Financial situation in 2011

Main highlights of APT's 2011 exercise:¹

- The Global Forum on the OPCAT had an important impact on the results, with an earmarked budget of 500'000 CHF, which was partially covered with specific contributions.
- The funding of the Jean-Jacques Gautier Centre for the prevention of torture, APT's future working premises, was separated from APT's regular operations. Funding was mostly provided by private donations and philanthropic institutions such as Artists against torture. Specific accounts were dedicated to the building works, and these appear under the balance sheet.
- In August 2011, the Euro hit its lowest rate against the Swiss Franc, with one CHF at almost one EUR. This had once again a very detrimental impact on APT's funding, which receives an important share of its income in EUR, and makes most payments in CHF. The stabilisation of the exchange rate over the following months was welcome. Nonetheless, the APT took a major step to diversify sources of income and focus on Swiss based donors by creating a new position within the Secretariat to focus on fundraising in Switzerland. The position was filled in November 2011.

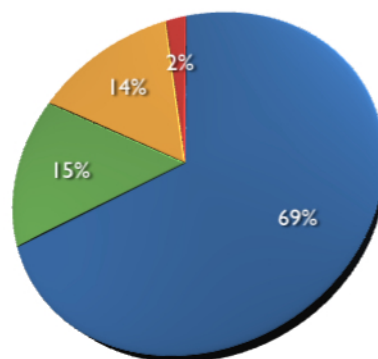


APT's 2011 accounts are presented for the first time in accordance with part of the Swiss GAAP RPC norms,¹ which provide for better transparency and accountability. The RPC norms are not obligatory

¹ Règles de présentation comptables, see: <http://www.fer.ch/fr/inhalt/accueil/accueil/actualites.html> for more information

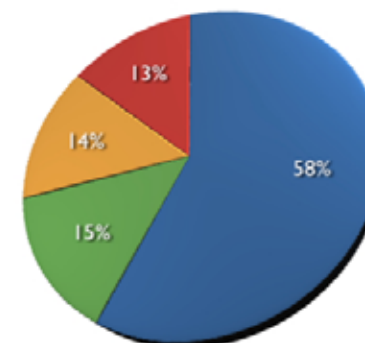
in Switzerland. Nonetheless, they are used by a growing number of Swiss based local and international organisations. Therefore, the APT decided to start implementing these norms in the presentation of its accounts so as to increase clarity and accountability towards its donor base. This new presentation is also expected to set the ground for a future APT affiliation to quality certifications.

2011 Resources



● Governments ● Foundations
● Inter-governmental Institutions ● Other

2011 Expenditure



● Operations ● Orientation & Strategy
● Administration ● Communication & Publications

¹ The full version of APT's financial accounts can be downloaded on the APT webpage www.apr.ch

Operating accounts 2011*

Income 2011	CHF	Expenditure 2011	CHF
1 Foreign Governments		1 Operations	
Australia	74,464	Advocacy & capacity strengthening	160,282
Belgium	125,600	Travel costs	166,160
Denmark	170,312	Accommodation costs	37,493
Spain	7,352	Staff moving costs	9,565
Liechtenstein	200,000	Recruitment & training	19,726
Norway	79,487	Salaries operations	999,859
The Netherlands	189,938	Social charges operations	331,015
United Kingdom	229,07		1,724,101
Sweden - Sida	317,685	2 Communication & Publications	
	1,393,906	Publication costs	93,135
2 Swiss Government		Salaries communication & publications	249,495
Confédération DFAE - Division 4	250,000	Social charges communication & publications	45,739
Canton de Genève	148,999		388,369
	398,999		
3 Grants from Foundations		3 Administration	
Sigrid Rausing Trust	230,937		
US anonymous	224,919	Secretariat costs	66,251
Open Society Institute	7,375	IT: hard-, software & database	21,830
	463,231	Office rent	128,706
4 Inter-governmental Organisations		Audit & legal fees	36,290
European Commission	319,249	Bank fees & interest	3,477
Council of Europe	4,313	Depreciation	9,711
OSCE	484	Exchange rate difference	-524
	324,046	Architect fees Centre JJG	0.00
5 Private donors		Salaries administration	141,913
Members' subscriptions	7,000	Social charges admin	24,293
Gifts	5,080		431,946
	12,080		
6 Other income		4 Policy & strategy	
Sale of publications	254		
Interest	1,722	Meetings & receptions	5,891
Other income	3,901	Board, Bureau, GA	23,647
Fees	12,620	OPCAT Global Forum	412,776
Indemnity of insurance	26,613		442,314
Subventions OPCAT Global Forum 2011	324,500		
	369,610		
Total Income	2,961,872	Total Expenditure	2,986,730

Balance Sheet*

	31/12/2011		31/12/2011
Assets	CHF	Liabilities & Wealth	CHF
Current assets		Liabilities	
Cash and banks accounts		Short term liabilities	
Bank & cash at disposal	483,330	Income received in advance	324,182
Cash Fonds Pro Victimis	100,032	Liabilities Centre Jean-Jacques Gautier	93,501
Cash Centre Jean-Jacques Gautier	524,018	Other liabilities	64,403
Receivable income	194,175		482,087
Other current assets	4,488	Long term liabilities	
Accruals	20,331	Fondation Pro Victimis	200,000
Total current assets	1,326,374	Total liabilities	682,087
Fixed assets		Wealth	
Immobilisations matérielles			
Centre Jean-Jacques Gautier	1,081,639	Reserve for IT	60,000
Office material	2,016	Reserve for move	30,000
Installation	6,802	Fonds réserve Centre Jean-Jacques Gautier	1,684,217
IT hard & software	4,925	Loss at result	-34,549
Total fixed assets	1,095,382	Total Wealth	1,739,668
Total Assets	2,421,755	Total Liabilities & Wealth	2,421,755

* as in annual audited accounts

Thanks

The APT is grateful to the following donors for their support in 2011:

Governments

Australia
Belgium
Denmark
Canton de Genève
Ville de Genève
Liechtenstein
Ville de Meyrin
The Netherlands
Norway
Spain
Sweden
Switzerland
United Kingdom

International Organisations, Foundations and other Institutions

Council of Europe
Europaid (EIDHR)
Open Society Institute
Organisation internationale de la Francophonie
Pro-Victimis Foundation
Sigrid Rausing Trust

Individuals

Members of the APT and faithful private donors.

Note: The APT is independent of its financial supporters in all matters of policy and strategy.

APT staff / personnel 2011

Secretary General / Secrétaire général

Mark C.A. Thomson, UK

Chief of Operations / Cheffe des Opérations

Barbara Bernath, France / Switzerland

Programmes:

OPCAT

Audrey Olivier, France

OPCAT Forum

Stéphanie Bürgenmeier, Switzerland

Mireille Gheryani, Switzerland / France

Emilie Linder, Switzerland

UN and Legal / ONU et affaires juridiques

Marcellene Hearn, USA (from September)

Sébastien Ramu, Switzerland (until July)

Matthew Sands, UK (from June)

Detention Monitoring / Surveillance des lieux de détention

Jean-Sébastien Blanc, Switzerland

Tanya Norton, UK / France

Africa / Afrique

Jean-Baptiste Niyizurugero, Rwanda / France

Ilaria Paolazzi, Italy

Americas / Amériques

Claudia Gerez Czitrom, Mexico / Spain

Isabelle Heyer, Switzerland (from July)

Asia-Pacific / Asie-Pacifique

Jem Stevens, UK / Japan (until April)

Europe & Central Asia / Europe & Asie Centrale

Matthew Pringle, UK



from left to right / de gauche à droite: Muriel Eckstein, Ilaria Paolazzi, Anja Härtwig, Emilie Linder, Matthew Pringle, Jean-Sébastien Blanc, Vincent Ploton, Adrian Moore, Mark Thomson, Matthew Sands, Sylvie Pittet, Barbara Bernath, Esther Schaufelberger, Catherine Felder, Anna Rottenecker, Mireille Gheryani, Tanya Norton, Stéphanie Bürgenmeier, Audrey Olivier, Jean-Baptiste Niyizurugero

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Middle East & North Africa / Moyen Orient & Afrique du Nord

Esther Schaufelberger, Switzerland

Regional Office for Latin America / Bureau régional pour l'Amérique Latine

Claudia Cesaroni, Argentina (until March)

Sylvia Diniz Dias, Brazil (from February)

Hugo Lorenzo, Uruguay / Spain (until February)

Maria-José Urgel, Spain (from August)

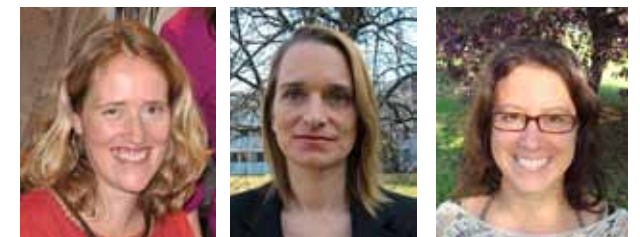
Elena Villalba, Panama (until November)

Outreach / Communication

Muriel Eckstein, Switzerland (January-April)

Anja Härtwig, Germany / Poland

Adrian Moore, Ireland



not in the picture / pas sur la photo:

Claudia Gerez,
Marcellene Hearn,
Isabelle Heyer,
Sébastien Ramu,
Jem Stevens
.....



Board & Advisory Council / Conseil & Conseil consultatif

Vincent Ploton, France
Anna Rottenecker, Germany (from November)

Administration

Catherine Felder, Switzerland
Sylvie Pittet, Switzerland

Country Delegate / déléguée nationale

Amanda Dissel, South Africa

Consultants

Richard Carver, UK
Rosita Ericsson, Sweden
José de Jesus Filho, Brazil
Tanya Kolker, Brazil
Nicolas Rougy, France
Jem Stevens, UK / Japan
Walter Suntinger, Austria

Special thanks to the many volunteers who contributed to making the OPCAT Global Forum a success! / Un grand Merci à tous les volontaires qui ont contribué au succès du Forum mondial sur l'OPCAT !

*Elus pour 3 ans par l'Assemblée générale
Elected for 3 years by the General Assembly*

President / Présidente

Ms Martine Brunschwig Graf, Switzerland

Vice-President and Treasurer / Vice-président et Trésorier

Mr Renaud Gautier, Switzerland

Board Members / Membres du Conseil

Mr Daniel Dufour, Switzerland
Mr Krassimir Kanev, Bulgaria
Mr Jacques Lederrey, Switzerland
Ms Ottavia Maurice, Switzerland / Italy
Ms Susan McCrory, UK
Ms Jehaan Mahmood, Maldives*
Mr Christian Nils-Robert, Switzerland
Mr Manfred Nowak, Austria
Ms Julienne Ondziel-Gnelenga, Republic of Congo
Ms Monica Pinto, Argentina

Ms Mervat Rishmavi, Palestine*
Ms Paz Rojas, Chile
Ms Erika Schläppi, Switzerland
Ms Susanne Soukoudé, Togo*
Mr Walter Suntinger, Austria

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Mr Marco Mona, Switzerland

Advisory Council / Conseil consultatif

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 Jean-Pierre Restellini, Switzerland
Mr Erik Prokosch, USA

APT Board and staff at the April Board meeting / Conseil et personnel de l'APT lors de la réunion d'avril, front row from left to right / devant de gauche à droite: Esther Schaufelberger, Claudia Gerez, Jehaan Mahmood, Martine Brunschwig Graf, Audrey Olivier, Suzanne Soukoudé, Mervat Rishmawi, Mark Thomson
back row from left to right / derrière de gauche à droite: Jem Stevens, Sylvie Pittet, Adrian Moore, Sylvia Dias, Tanya Norton, Jean-Sébastien Blanc, Catherine Felder, Vincent Ploton, Jacques Lederrey, Erika Schläppi, Sébastien Ramu, Renaud Gautier, Barbara Bernath, Susan McCrory



* elected / élue 2011