



ANNUAL REPORT 2005

Association for
the Prevention
of Torture

Recipient of the Human Rights
Prize of the French Republic, 2004

Recipient of the Prize of the
Foundation for Geneva, 2004

The APT has consultative status with the United Nations
Economic and Social Council, the Council of Europe,
the African Commission on Human and Peoples' Rights,
the Organisation of American States and the
International Organisation of the Francophonie.

Founded in 1977 by
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WHAT IS THE ASSOCIATION FOR THE PREVENTION OF TORTURE?

The Association for the Prevention of Torture (APT) is an independent non-governmental organisation based in Geneva, operating globally to prevent torture and other ill-treatment. It was founded by the Swiss banker and lawyer, Jean-Jacques Gautier, in 1977.

VISION AND MISSION:

The APT envisions a world in which no one is subjected to torture or cruel, inhuman or degrading treatment or punishment, as promised by the Universal Declaration of Human Rights.

The APT seeks to achieve this vision by promoting three integrated elements that are essential to the effective prevention of torture and other ill-treatment:

- transparency in the institutions involved in depriving individuals of their liberty,
- operating within an effective legal framework against torture,
- where national actors have the appropriate will and capacity to prevent torture.

OBJECTIVES:

In keeping with its vision and mission, the work of the APT throughout the world is focussed on the following complementary objectives:

1. **Transparency**
All places where persons are deprived of their liberty should be open to outside scrutiny, especially through independent visiting and other monitoring mechanisms.
2. **Norms and Standards**
International, regional and national legal norms and standards for prevention of torture and other ill-treatment should be universally adopted, implemented and further elaborated, and institutional

and individual awareness and understanding of the norms and standards increased.

3. Practices

The capacity of national actors concerned with persons deprived of their liberty should be strengthened through increased knowledge about and commitment to practices for the prevention of torture and other ill-treatment.

STANDARD-SETTING ACHIEVEMENTS:

The APT has played a leading role in the establishment of international and regional standards and mechanisms to prevent torture, such as the Optional Protocol to the UN Convention against Torture, the European Committee for the Prevention of Torture and the African Commission's Robben Island Guidelines for the prevention of torture in Africa.

STATUS AND FUNCTIONING:

The APT is recognised by the Swiss authorities as a non-profit association. The work of the 14-person International Secretariat is supervised by a Board elected by the annual General Assembly of members of the Association.

FUNDING:

The APT is able to operate thanks to the generous financial support of: Association members, individuals, non-governmental organisations, foundations, United Nations agencies and governments, which are listed in this report.

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Swiss Post Office Account

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PREFACE FROM THE SECRETARY GENERAL

APT ANNUAL REPORT 2005

GETTING THE JOB DONE



Welcome to the report of the APT's activities in 2005, a year that tested our perseverance to move forward in our global prevention work whilst others undermined the fundamental principles of the prohibition of torture and other ill-treatment.

Fortunately, we made impressive progress in our priority project to have the UN torture prevention protocol (OPCAT) operational in order that the international and national detention visiting and advisory bodies will soon be able to get on with their work. In 2005 ratifications increased remarkably from 6 to 16 states and additional signatories increased from 31 to 49 states. Most of these states had been lobbied, including via in-country advocacy visits, by the APT-led worldwide campaign for early ratification. We can now be confident that the Protocol will come into force in the first half of 2006.

This report reviews some other highlights of the OPCAT work in 2005, such as: the Russian manual; the Federal states seminar in Brazil; and effective cooperation with NGOs in Argentina, Benin, Brazil, Canada, Denmark, Indonesia, Mali, Madagascar, Senegal and Switzerland.

The APT's capacity building objective was accomplished in 2005 with even more prevention training seminars in Mongolia, Brazil, Mexico, Central African Republic (for Francophone Africa), Kenya (for Anglophone Africa) and Indonesia for national human rights institutions throughout the Asia-Pacific region. The Indonesia seminar was the APT's first Asia Pacific wide initiative and has already contributed to the Palestinian Independent Commission for Citizen's Rights prioritising torture prevention in 2006.

We are particularly proud of the success of our practical guide on "Monitoring Places of Detention", which has proved to be one of our most popular publications. This is due to its useful content and practical style as well as it being translated into many languages: English, Spanish and in 2005 into French, Portuguese, Arabic, Farsi and Georgian. Furthermore, we have received many reports of how it is being used, for example by National Human Rights Institutions in Tanzania, Argentina, Mongolia and Bahrain.

In 2005 we were obliged to be more pro-active in insisting on the full respect of international norms preventing torture and other ill-treatment. This resulted in position papers, media interviews and conference presentations on issues such as the dangers of diplomatic assurances to return detained persons to their country of origin as well as APT contributions to court cases and legal hearings, for example on the use of "evidence" obtained by torture. The annual report also reveals our increased work in the improved administration of justice, for example with the Seminar for Judges and Prosecutors in Argentina.

I invite you to read in further detail about these activities and others that we implemented in 2005. I hope that you will lend your support to our work in whatever way possible. I would like to thank all our donors for their valuable support in 2005 as well as our very cooperative partners, our committed Board Members and our dedicated and highly-skilled staff and interns for making this progress possible.

Mark Thomson
Secretary General

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PREVENTING TORTURE

WORLDWIDE:

2005 APT ACTIVITIES

APT ANNUAL REPORT 2005

AT INTERNATIONAL AND REGIONAL BODIES

- OPCAT advocacy at the UN Treaty Bodies, Commission and General Assembly, **Geneva** and **New York**; at the **Inter-American Commission**, **Washington**; at the **African Commission**, **Gambia**; at the **Commonwealth's Human Rights Forum**, **Malta**
- Helping the **OHCHR** to prepare for the International Subcommittee on Prevention
- Police Conference**, Council of Europe, **Strasbourg**
- International Organisation of the Francophonie Conference, **Burkina Faso**
- OSCE Human Dimension Implementation Meeting, **Warsaw**
- OSCE Supplementary Human Dimension Meeting on role of lawyers, **Georgia**
- Contribution to UN torture resolutions at the Human Rights Commission and General Assembly, **Geneva** and **New York**

IN AFRICA

- OPCAT advocacy missions, **Benin**, **Ghana**, **Madagascar**, **Mauritius** and **South Africa**
- Workshop West Africa Police Training, **Ghana**
- Detention monitoring training for African National Human Rights Institutions, **Kenya**
- Training NGOs, **Central African Republic**
- Training on Code of Conduct for **Mauritius** Police
- Follow-up Committee on the **Robben Island Guidelines**

IN THE AMERICAS

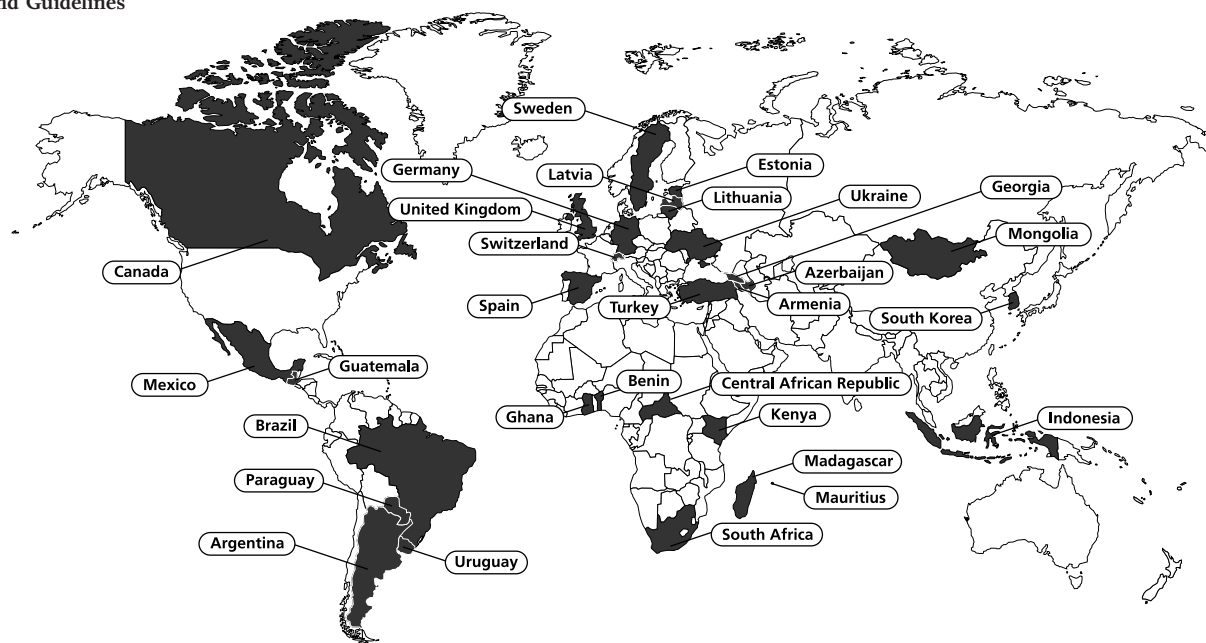
- OPCAT advocacy missions, **Guatemala**, **Paraguay** and **Uruguay**
- Seminars on national preventive mechanisms, **Brazil** and **Mexico**
- Workshop on detention monitoring by civil society, **Brazil**
- Seminar for Judges and Prosecutors, **Argentina**
- Judicial advice for prisons in **Mendoza**, **Argentina** and participation in **Arar Inquiry**, **Canada**

IN ASIA

- OPCAT advocacy missions, **Indonesia** and **South Korea**
- Detention monitoring training for **Mongolian** National Human Rights Commission
- Asia-Pacific Training on torture prevention for National Institutions, **Indonesia**
- Legal advice for **Asia-Pacific Forum**, **Mongolia**

IN EUROPE AND CENTRAL ASIA

- OPCAT advocacy missions, **Armenia**, **Azerbaijan**, **Estonia**, **Georgia**, **Germany**, **Latvia**, **Lithuania**, **Spain**, **Turkey** and **Ukraine**
- Police training, **Switzerland**
- Swedish Forum on Human Rights** presentation on “diplomatic assurances”
- Participation in House of Lords case concerning use of evidence obtained by torture, **United Kingdom** and at the **European Court of Human Rights** (non-refoulement and risks of torture)



MESSAGE FROM THE PRESIDENT

APT ANNUAL REPORT 2005

THREE THREADS OF SAFFRON



Will we someday eradicate this terrible plague called torture? At this time in history, we might be forgiven for entertaining some serious doubts. It sometimes seems as if the civilised world has lost its innocence.

Until recently, torturers perpetrated their squalid business hidden behind closed doors, protected by ruthless dictatorships, their deeds unanimously condemned by democratic governments. No state that considered itself to be governed by the rule of law could accept acts of torture on its territory. In fact, by living in such law-abiding societies, we thought we were protected by the absolute prohibition of torture and we believed that the very idea of torture was taboo.

And yet, nowadays, the most influential and powerful states, onetime moral leaders, put in question the very cause they have promoted over the past decades: they, in effect, questioned whether the fundamental and absolute prohibition of torture and other ill-treatment is compatible with winning a war against “evil”. Now we know all too well what has happened as a result, and we know too that we have gained nothing from it, not even in the war against terror. The only real result is that human rights in general, and our struggle against torture in particular, have lost much ground.

Fortunately, other battles yielded more positive consequences: for instance, in the United States, a public debate on the legitimacy of the death penalty is raging, something that would have been unthinkable only 5 or 10 years ago. In Congress, key parliamentarians have stood firm for a return to the core values and principles underlying the UN Convention against Torture. At the global level, as 2005 was

coming to an end, 16 states had ratified the Optional Protocol to the UN Convention against Torture, while 49 countries had signed it. Many more will follow in the coming months and years.

Each of these acts, signature or ratification, is the result of an intense political debate. States are forced to seriously consider what preventive means they bring to the struggle against torture. Are such means necessary? Indeed they are, and we at the APT have reason to hope that all states are coming to realise that fact. The APT has good reason also to be proud: that such a relatively small NGO has succeeded in launching this global movement - within a period of three years, so many discussions in so many countries, frequently with the APT at the table - this achievement far exceeds our expectations.

If you add three threads of saffron the next time you prepare rice, you will immediately see how the saffron rapidly spreads throughout even the largest pots of rice, imbuing it with rich colour and delicious spicy perfume - a striking effect, considering the small size of those few threads! The ingredients contributed by the APT to the wider discussion on torture prevention have had a similar effect as those three threads of saffron. And we still have more precious threads of saffron to add to the pot, when and just as much as needed, to make utopia become reality.

This sense of achievement is the result of the formidable commitment of our founder Jean-Jacques Gautier, first and foremost, and the commitment too of all those men and women that have worked for the APT over the years, initially under the guidance of François de Vargas, then of Claudine Haenni, and now of Mark Thomson. Thanks to all of you, thanks to the current APT team, who continue to “safraner” this debate!

Marco Mona
President

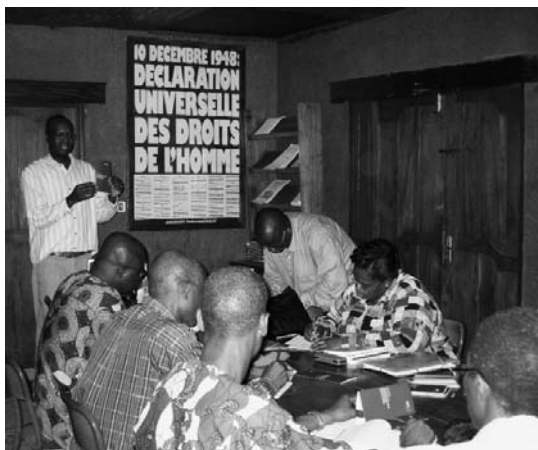
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PROMOTING THE IMPLEMENTATION OF LEGAL NORMS AND STANDARDS

The APT's activities aimed at promoting the implementation of international legal norms and standards comprised a significant component of the organisation's overall work in 2005. A number of striking achievements could be attributed to the organisation, most notably in the form of its decades-long campaign to bring into being the Optional Protocol to the UN Convention against Torture (OPCAT). During the year the organisation was also substantively involved in the drafting of a landmark Asia Pacific initiative, which aims to systematize measures preventing torture during the interrogation of detainees, as well as the implementation of the Robben Island Guidelines in the African continent.

In addition to this important focus on existing legal norms and standards, the APT was obliged to more publicly insist that these norms and standards protecting persons deprived of their liberty were not eroded, or even discarded altogether, in the face of the so-called "war on terror". The organisation remains intent on meeting this ongoing challenge.

APT's OPCAT advocacy mission in Benin, meeting with national NGOs, February 2005



THE OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE: THE COMING REALITY

The year 2005 came to a close with the prospect that the OPCAT would very shortly become operational. With the conclusion of the year some 16 states had ratified the instrument, while 49 had signed it (see the graph below) bringing the crucial 20th ratification - upon which it will enter into force - possibly as near as April 2006. This unparalleled progress would arguably not have happened without the APT's leading involvement and the invaluable support of its many partners.

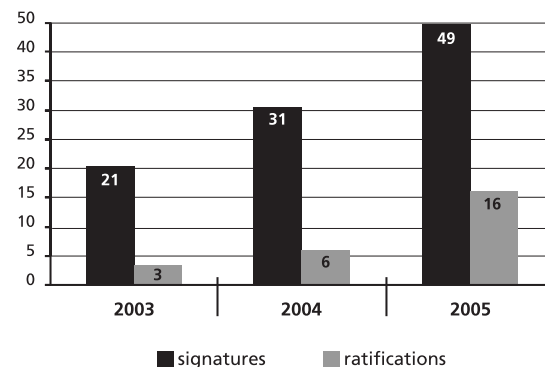
Throughout 2005 the APT spent considerable time and effort leading the global campaign to ensure that the instrument entered into force in a timely manner.

The commitment of the APT in spearheading the campaign was particularly reflected in its policy of flying many thousands of miles in the course of the year in order to meet government and civil society representatives to discuss a country's possible ratification. In 2005 alone, the APT undertook advocacy missions to at least 25 different countries in all corners of the globe, sometimes repeatedly, in close collaboration with local partners. The APT is convinced that this concerted and targeted strategy will bear further fruit over the coming year or so, making the OPCAT a truly global human rights instrument.

The impact of the APT on the ratification campaign can be gauged by the fact that the organisation had directly lobbied in their capital cities seven of the 10 states which ratified the instrument in 2005, usually with local partners.

Moreover, beyond the in-country advocacy visits, the APT can also reasonably claim some responsibility for the wave of new signatories attained during the year owing to concerted lobbying of diplomatic missions and visiting delegations in Geneva.

OPCAT STATUS OF RATIFICATIONS AND
SIGNATURES AS AT END 2005



In the framework of the global campaign for the OPCAT entry into force, the APT translated into Russian the publication *Optional Protocol to the UN Convention against Torture, a Manual for Prevention* with the support of the Swiss Federal Department of Foreign Affairs.

STRIKING-UP STRATEGIC PARTNERSHIPS

Throughout the year the APT had considerable success in striking up strategic partnerships with a wide range of actors in order to advance the OPCAT. The organisation took a leading role on this issue in the Coalition of International NGOs Against Torture (CINAT), which issued a series of joint statements in 2005 urging states to ratify the instrument. Similarly, numerous alliances were cemented with national and international NGOs, such as Action by Christians for the Abolition of Torture (ACAT), Amnesty International and Penal Reform International (PRI), as well as regional organisations like the Inter-American Institute of Human Rights (IHR) in countries as diverse as Armenia, Azerbaijan, Benin, Brazil, Georgia, Guatemala, Indonesia, Madagascar, Paraguay, South Africa and Turkey.



Joint OPCAT advocacy mission in Madagascar with ACAT, March 2005

The APT continued its policy of cooperation with key governments for the purposes of torture prevention. The organisation entered into a strategic partnership with the Federal Department of Foreign Affairs of Switzerland and the Foreign and

Commonwealth Office of the United Kingdom in order to promote the OPCAT in countries in the Africa, the Americas and Asia regions as well as in various international fora, such as the UN General Assembly and the Organisation for Security and Co-operation in Europe (OSCE).

The APT's sustained campaign to bring the instrument into force was also complemented by a dynamic awareness-raising strategy among a range of actors, including state, non-governmental and national human rights institution representatives. In doing so, the organisation sought to provide potentially interested parties with a wealth of related information. The APT's participation in the international meetings of various intergovernmental fora such as the African Commission on Human and Peoples' Rights, Commonwealth's Human Rights Forum, Inter-American Commission on Human Rights and the OSCE were particularly conducive to engendering heightened awareness.

PROMOTING THE OPCAT THROUGH THE OSCE

As an acknowledgment of the APT's expertise on the OPCAT, the APT Secretary General was invited by the OSCE to chair several plenary sessions on torture prevention and give a keynote speech on the instrument at the OSCE's Human Dimension Implementation Meeting in Warsaw in September 2005. The organisation also used its presence as an opportunity to co-organise a side-event on the OPCAT with the Federal Department of Foreign Affairs of Switzerland, the Ministry of Foreign Affairs of Denmark and the OSCE's Office for Democratic Institutions and Human Rights (ODIHR).

PROMOTING THE IMPLEMENTATION OF LEGAL NORMS AND STANDARDS

IMPLEMENTING OPCAT AT THE NATIONAL LEVEL

The APT exerted considerable efforts to ensure that the OPCAT is implemented effectively at the national level. Various national actors repeatedly approached the APT in 2005, seeking the organisation's advice on how to establish national monitoring bodies as envisaged under the OPCAT. The APT responded to requests for assistance by providing valuable advice and authoritative materials in a range of languages. The APT also participated in a series of meetings and workshops throughout the world in order to assist states to establish workable monitoring mechanisms, including in federal states. The organisation gave particular attention to the specific challenges faced by federal states in implementing the instrument by drafting detailed background papers and organising seminars for this purpose in Geneva, Switzerland, in January and São Paulo, Brazil, in June. The organisation has even devised a very practical assessment tool in the form of a checklist through which one can examine an existing national mechanism to determine whether it adequately fulfils the criteria envisaged in the OPCAT text.

Workshop on torture prevention in Guatemala, organised by ODHAG with the support of Denmark-based RCT, October 2005



THE APT ASSISTS THE OPCAT IMPLEMENTATION IN MEXICO

Following Mexico's ratification of the OPCAT in April 2005 the APT participated in two national seminars held in July in Mexico City and in December in León in the state of Guanajuato aimed at assisting national actors to define a national monitoring mechanism. The events, which were co-sponsored by the Mexican Ministry of Foreign Affairs and the Office of the UN High Commissioner for Human Rights (OHCHR) in Mexico, involved a wide cross-section of actors, crucially including civil society representatives and national and state-level human rights commissions. Two further seminars on this issue are planned for 2006.

For the purposes of this ongoing consultation the Ministry of Foreign Affairs gave the APT-IIHR publication, *Optional Protocol to the UN Convention against Torture: A Manual for Prevention*, the special status of an official reference document and printed several hundred copies of it. This was a welcome testimony to the success of this APT-IIHR publication.

THE INTERNATIONAL CHALLENGE

The APT is acutely aware that while preventive detention monitoring at the national level will only be as effective as the mechanisms undertaking such visits, this also holds true at the international level. Throughout 2005 the APT continued to work closely with the OHCHR with the aim of actively assisting it establish the international Subcommittee on Prevention. This collaborative process has resulted in a series of consultations and international expert meetings dealing with operational issues such as budget, membership and staffing requirements.



Roundtable on monitoring of places of detention organised by the APT and the Mexican office of the OHCHR, November 2005

This approach is designed to ensure that this vitally important new body lives up to the high expectations of the international human rights community.

The APT is convinced that all these combined activities in 2005 made a positive impact on the campaign to bring the OPCAT swiftly into force.

MINIMUM INTERROGATION STANDARDS TO PREVENT TORTURE

The APT actively participated in the Asia Pacific Forum (APF) of National Human Rights Institutions' 10th Annual Meeting in Ulaanbaatar, Mongolia in August 2005. The APF's Advisory Council of Jurists (ACJ), which is comprised of eminent jurists from the region, also met in parallel to this meeting in order to advise and make recommendations to the APF and its member institutions as to international instruments and standards relevant to torture and other forms of ill-treatment.

Most notably, the ACJ was asked to develop a list of minimum standards of interrogation, representing the first successful attempt to do so. The APT was invited by the APF Secretariat to participate in this entire process in the capacity of “resource person” and it helped the ACJ to draft an interim report, which included the Minimum Interrogation Standards. The APT hopes that this landmark initiative will find much wider resonance beyond the APF, as it is convinced that the Guidelines potentially provide for an invaluable safeguard against torture and other forms of ill-treatment for persons deprived of their liberty.



APT representative at the Asia Pacific Forum of National Human Rights Institutions' 10th Annual Meeting, Mongolia, August 2005

ADVISORY COUNCIL OF JURISTS' MINIMUM INTERROGATION STANDARDS

The Minimum Interrogation Standards consist of twenty-seven different elements, which, among other things, include the following key rights:

- States must ensure that torture and cruel, inhuman or degrading treatment or punishment are not employed before, during or after any interrogation. These practices must not be employed to compel witnesses to give information about or evidence against another;
- Interrogation should never take place at secret interrogation centres. If a person is detained for interrogation, relatives or a third person of the person's choice and, where applicable, consular authorities should be informed immediately of the fact and place of detention and/or that of interrogation;
- Every interrogated person should, before any interrogation begins, be told (in a manner that is understandable to him or her) of his or her right to consult a lawyer of his or her choice without delay and in private;
- Where a person has indicated a wish to consult a lawyer no further questioning should take place until that consultation has taken place;
- Persons subject to interrogation must be given adequate food, sleep, exercise, changes of clothing, washing facilities and, if needed, medical treatment taking into account any particular characteristics of the individual including age, gender, religion, ethnicity, medical needs, mental illness and any disabilities or other vulnerabilities;
- There should never be a threat of the removal of basic necessities such as hygiene provisions, food, exercise, rest, sleep, in exchange for information or cooperation. Neither should there be a threat of any reprisals against a third person (and in particular a relative).



PROMOTING THE IMPLEMENTATION OF LEGAL NORMS AND STANDARDS

AFRICA'S ROBBEN ISLAND GUIDELINES: THE NEXT STEPS

The APT has remained committed to implementing the Robben Island Guidelines in practice. The Robben Island Guidelines, which were drafted by the APT and the African Commission on Human and Peoples' Rights, spell out the concrete measures to be taken by African states to prevent torture and other forms of ill-treatment. With the aim of implementation, the African Commission on Human and Peoples' Rights established a so-called "Follow-Up Committee" to ensure the implementation of the Guidelines, comprising six human rights experts from the African continent including the APT.

In collaboration with the School of Law at the University of Bristol in the United Kingdom the APT co-sponsored the first working meeting of the Follow-Up Committee in February 2005. This initial working session was particularly successful in settling various operational issues, devising draft rules of procedure on its functioning and formulating recommendations on key aspects of its mandate. During its May 2005 session in Gambia the African Commission on Human and Peoples' Rights approved the decisions and recommendations made during the first working session of the Follow-up Committee, which is now seeking to build on these encouraging first steps.

THE WAR ON TERROR: MEETING THE CHALLENGE

"...the fight against terrorism can only be won if international human rights norms are fully respected. Torture is not simply immoral and illegal: it is ineffective. The emergence of a particularly vicious form of terrorist action has not changed that. And neither has using a very restrictive definition of torture in order to justify other interrogation techniques..."

Louise Arbour, United Nations High
Commissioner for Human Rights, International
Human Rights Day, 10 December 2005

The absolute prohibition of torture and other forms of ill-treatment continued to come under sustained pressure during the year as the so-called war on terror proceeded into its fourth year. The APT actively rose to meet the difficult challenges thrown up by the minority of states intent on forgoing decades of human rights progress in the name of combating terrorism. The APT's and its partners' efforts made a definite impact.

Heightened attacks on the absolute prohibition of torture and other forms of ill-treatment assumed various forms. They ranged from crude attempts to legitimise torture and other forms of ill-treatment for the purpose of intelligence-gathering, including in third countries with extremely questionable human rights records, to allowing information obtained as a result of such practices to be used as "evidence" in court.

The APT reacted robustly to counter these and other divisive attempts to undermine the absolute prohibition of torture at both the international and national level.

"EVIDENCE" EXTRACTED THROUGH TORTURE

In an extremely significant intervention the APT was one among several human rights organisations, which successfully interceded in the case of *A. and Others v. Secretary of State for the Home Office* at the House of Lords in the United Kingdom. The intervention was motivated by a 2004 decision by the English Court of Appeals to allow information obtained through torture to be used as "evidence" in certain English Courts, provided that no British public officials were involved. Fortunately, on 8 December 2005 the House of Lords unanimously overturned this decision.

Throughout 2005 the APT also repeatedly criticised the flawed use of so-called diplomatic assurances by states intent on deporting terrorist suspects to countries where they faced the risk of torture or ill-treatment. The UN Special Rapporteur on Torture, Manfred Nowak, has succinctly previously characterised the reliance on diplomatic assurances as "unreliable and ineffective in the protection against torture and ill-treatment". The APT opposes such politically convenient initiatives that put detained persons at risk of being tortured or ill-treated.

In addition to its intervention at the English House of Lords (see above), the APT joined other NGOs to deliver a submission at the European Court of Human Rights in *Ramzy v. the Netherlands* in order to defend against an explicit challenge to the absolute prohibition of sending a person to another country where he will face a risk of torture. The APT likewise intervened in the Canadian *Commission of Inquiry into the Case of Maher Arar*, opposing the use of information obtained by another state through torture and

stressing the need for the appropriate training, expertise and methodology of persons carrying out visits to detained persons at risk of torture.

The positive impact of the APT's and its partners' endeavours was also in evidence at the international level. The APT played a dominant role in ensuring the successful adoption of strengthened resolutions on torture at the 61st session of the UN Commission on Human Rights in Geneva and at the 60th session of the UN General Assembly in New York. Incorporated into the resolutions for the first time were the prohibition of the use of "evidence" obtained through torture and the principle that no person shall be expelled, returned or extradited or in any other way transferred to a country where this person would be in danger of being subjected to torture and that in such cases the use of diplomatic assurances does not give states free rein to do so. Similar initiatives were undertaken in various other international and regional fora.

Throughout the year the APT also raised its concerns about attempts to circumvent and undermine the absolute prohibition of torture through its public documents and statements and in meetings with state representatives. The organisation was additionally invited to speak on the subject at various high-profile national, regional and international meetings including, most recently, events organised by the Swedish Helsinki Committee in Stockholm and Amnesty International in London in November 2005.



STRENGTHENING THE CAPACITY OF NATIONAL ACTORS

In addition to promoting the implementation of legal norms and standards, the APT seeks to strengthen the capacity of national actors to prevent torture and other forms of ill-treatment and to promote the establishment of preventive mechanisms such as visits to places of detention by independent experts. These aims are naturally closely intertwined, as there is an array of independent national actors, which can conduct visits to closed institutions.

WORKING WITH OTHERS TO PREVENT TORTURE

The approach taken by the APT in leading the global campaign for the ratification of the OPCAT (see pages 4 to 6 for further details) aptly symbolised its long-held policy of working with and through others. Just as the APT has struck up numerous strategic alliances with a multitude of state, civil society and intergovernmental representatives during the OPCAT campaign, this same collaborative approach has been replicated in all aspects of the APT's other torture prevention work. What follows is just a snapshot of some of these partnerships and the activities undertaken together in 2005.

JUDGES AND PROSECUTORS

The year 2005 saw the APT embark upon a programme of training and educational activities aimed at enhancing the capacity of the judiciary and the procuracy to combat torture and other forms of ill-treatment. In April 2005 the APT co-sponsored a seminar with the Human Rights Secretariat of the Ministry of Justice and the Centre for Legal and



Delegation of international experts to the seminar for Judges and Prosecutors, Buenos Aires, April 2005

Social Studies (CELS) in Buenos Aires, Argentina, during which the Spanish version of the University of Essex's publication, *Combating Torture: a Manual for Judges and Prosecutors*, proof-read by the APT, was launched. On this basis judges, prosecutors and public defence attorneys from various regions of Argentina discussed strategies for strengthening their role in the prevention of torture and other forms of ill-treatment and in doing so, some very important lessons were drawn from the manual. A similar event is planned in Georgia in 2006.

NATIONAL HUMAN RIGHTS INSTITUTIONS

Like judges and prosecutors, National Human Rights Institutions (NHRIs) have an important torture preventive role to play, particularly in view of the entering into force of the OPCAT and the likelihood that some will be designated as national visiting bodies in the framework of the OPCAT implementation. In 2005 the APT participated in a series of activities with NHRIs with a view to strengthening their capacities to prevent torture.

—AFRICA REGION

In May 2005 the APT once again brought its expertise to the Africa region. The organisation was invited by the Kenyan National Commission on Human Rights and the Raoul Wallenberg Institute to participate in an event held in the vicinity of the Kenyan capital, Nairobi, designed to enhance the practical detention monitoring skills of representatives of various African NHRIs. The training event also included a visit to a prison for men and women.

—MONGOLIA

In May 2005 the APT also travelled to the Mongolian capital, Ulaanbaatar, to participate in a two-week training session organised by the Raoul Wallenberg Institute for the staff of the Mongolian National Human Rights Commission. Once again, the APT delivered training on monitoring places of detention, which included a visit to a detention facility in the capital.

—ASIA PACIFIC REGION

The APT returned to Ulaanbaatar to actively participate in the 10th Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions in August 2005. The APT used its presence at the meeting, among other things, to discuss the potential role of NHRIs in the framework of the OPCAT.

In the second half of the year the APT also played a very significant role and devoted considerable time and effort to co-implementing a distance-learning torture prevention course for staff of a large number of NHRIs in the Asia Pacific region

among others, culminating in a regional workshop in Jakarta, Indonesia in November 2005 (see page 14 for further details).

Visit to the Pondok Bambu Detention House in Indonesia during the regional workshop on torture prevention for the Asian Pacific National Human Rights Institutions, November 2005



NON-GOVERNMENTAL ORGANISATIONS

As civil society frequently finds itself at the forefront of human rights promotion and defence, it is essential that its representatives have the necessary skills and know-how to engage in such vital activities. The APT employed its accumulated expertise in the domain of torture prevention to this end in several countries in the course of the year, including in the Central African Republic and Brazil.

NGO CAPACITY BUILDING IN THE CENTRAL AFRICA REGION

In June 2005 the APT conducted a training activity for representatives of ACAT in the capital of the Central African Republic, Bangui. ACAT participants travelled to Bangui from all over the central African region, including Burundi, Cameroon, Chad and the Democratic Republic of Congo. The training seminar was organised by the FIACAT

(International Federation of ACATs), to which the APT was invited as the main “resource person” and facilitator of this successful event. The primary aims of the training were to reinforce the knowledge of the participants in international and regional instruments on torture and to strengthen their capacity to prevent torture and other forms of ill-treatment by using this knowledge, including during visits to places of detention. It is notable that in 2004 the APT facilitated a similar event in Ouagadougou, Burkina Faso, for ACAT representatives from the West Africa region.



Role-play on detainees' visits, Central African Republic, June 2005

STRENGTHENING THE CAPACITY OF NATIONAL ACTORS

—NGO CAPACITY BUILDING IN BRAZIL

The importance of effective detention monitoring was also underscored during a one-day workshop held in São Paulo, Brazil in June 2005. The event, which was co-sponsored by the APT and the Centre for Justice and International Law (CEJIL) was attended by NGO representatives engaged in visiting places of detention. During the event the participants had the opportunity to exchange so-called best practices on effective detention monitoring and discussed ways of overcoming various obstacles to enhance the impact of their work.



Human rights activist, Marcelo Freixo, of Justicia Global, at the workshop on detention monitoring by NGOs, Brazil, June 2005



APT representatives with Martin Almada (left), recipient of the Alternative Nobel Prize, in the Place of the Disappeared in Asunción, Paraguay, June 2005

POLICE: TRAINING AND HUMAN RIGHTS AWARENESS

The APT continued its policy of human rights awareness-raising for the police and was involved in a range of activities with the police at both the national and regional levels.

—AT THE NATIONAL LEVEL

As a result of the APT's solid track record in torture prevention and police training in Africa and the recognition thereof by a range of African human rights actors, the APT was invited to participate in an important workshop organised by the Commonwealth Secretariat in Accra, Ghana, in April 2005. The meeting sought to finalise the drafting of a human rights training manual for police officers in the West Africa region. The APT readily offered its comments on aspects of the manual relating to persons detained in police custody and pre-trial detention as well as on

torture prevention. In addition, the APT contributed a chapter to the manual on the African human rights system.

—AT THE REGIONAL LEVEL

The APT President, Marco Mona, attended the Council of Europe's first Conference of Police and Human Rights Coordinators in Strasbourg, France, in April 2005, which addressed the need to promote human rights in police training in Council of Europe Member States. Around 30 international representatives, the majority of whom were serving police officers or police trainers, were present at the event and exchanged views on a number of discussions. These included: on good practices in policing and human rights in Europe, the possibility of creating a database of European police and human rights trainers and the establishment of a similar database of European police curricula. These two database proposals were met with particular enthusiasm and thus, if implemented, the conference will have laid the foundation of what may become an extremely useful information pool.

OHCHR AND OTHER UNITED NATIONS BODIES

Through its cooperation with UN bodies, the APT seeks to maximise the effectiveness of the various existing UN mechanisms dealing with torture and other forms of ill-treatment. In 2005 the APT continued its policy of monitoring the work of the UN treaty bodies, particularly the Committee against Torture and the Human Rights Committee. Moreover, the APT participated in the UN sessions and followed torture-related issues and procedures at the UN Commission on Human Rights and the General Assembly.

Past and present Special Rapporteurs on Torture at the UN Commission on Human Rights, Geneva, April 2005



— UN COMMISSION ON HUMAN RIGHTS AND UN GENERAL ASSEMBLY

The APT once again collaborated with a range of state and non-governmental actors during the 61st session of the UN Commission on Human Rights in Geneva in April 2005 and the 60th session of the UN General Assembly in Autumn 2005. The APT prepared background bulletins, monitored relevant developments and contributed to the resolution on torture adopted by these bodies (see page 9 for further details).

— UN COMMITTEE AGAINST TORTURE

The APT was particularly active in monitoring the bi-annual sessions of the UN Committee against Torture in May and November 2005, narrations of which were made public and disseminated after each meeting. In the run-up to these sessions the APT actively encouraged and assisted NGOs to submit shadow reports to the Committee and to organise briefings with the Committee's members. Advantage was also taken of the visiting delegation's presence in Geneva to discuss their country's position vis-à-vis the OPCAT.

— TREATY BODIES DVD PROJECT

In cooperation with the OHCHR and Tlaloc Films the APT produced a DVD on UN human rights treaty bodies called *Treaty Bodies: Bringing Human Rights Home*. Elaborated as a training tool, the DVD aims to help national actors to understand the treaty body system and to learn how to use it in order to better implement human rights. The DVD will be available in early 2006 in English, French and Spanish and will be translated into Arabic, Chinese and Russian at a later stage.



STRENGTHENING THE CAPACITY OF NATIONAL ACTORS

PROVIDING TOOLS FOR PREVENTING TORTURE

TORTURE PREVENTION THROUGH DISTANCE-LEARNING

One of the APT's major accomplishments of 2005 was its role successfully co-implementing a distance-learning course on torture prevention for staff of national human rights institutions in the Asia Pacific Region. The distance-learning course was based on a specially devised CD-ROM, which introduced the participants to the theory of torture prevention, and on frequent online contact with two APT trainers. During the ten-week long course the students were asked to submit various course work.

The course, which was co-organised with Fahamu, a non-profit organisation specialising in distance-learning and the OHCHR, culminated in a regional workshop on torture prevention. This latter event was also co-organised by the Indonesian National Human Rights Commission. The event, which was held in Jakarta, Indonesia in November 2005, brought together the 26 participants from as far as Afghanistan, Australia, Fiji, India, Indonesia, Iran, Malaysia, Maldives, Mongolia, Nepal, New Zealand, Palestine, Philippines, South Korea, Sri Lanka and Thailand.

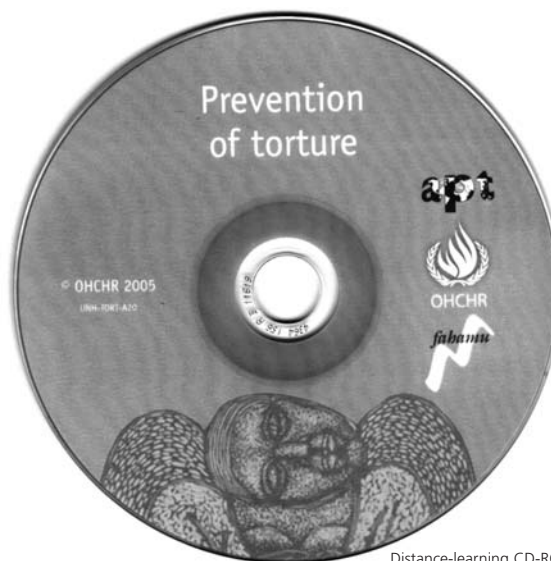
The three-day event focused on enhancing the practical skills of the participants regarding interviewing strategies and techniques and detention monitoring. The training also included visits to four detention facilities for these purposes.

The workshop was the second of a three phase training programme on torture prevention. The project will be repeated in 2006 for representatives of

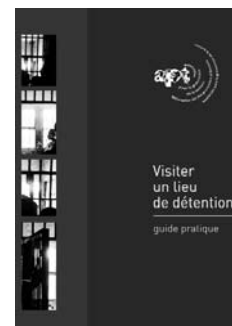
NHRIs in the Europe and Central Asia region. However, it is also envisaged that the CD-ROM will be applicable to other future training contexts.

MONITORING PLACES OF DETENTION: A PRACTICAL GUIDE

Practical experience has shown that visits to places of detention are one of the most effective means to prevent torture and to improve conditions of detention. Over the years the APT has accumulated a considerable amount of experience promoting such visits to places of detention and has correspondingly published a number of very successful practical guides in order to establish visiting programmes and to train the participants of such programmes. The APT's publications have made a major impact,



Distance-learning CD-ROM



as attested by the considerable demand for *Monitoring Places of Detention: a Practical Guide*, which is also available in Spanish, and which was translated into French and Portuguese in 2005. Numerous copies have been disseminated globally to an array of actors.



A key indicator of the considerable interest in this publication has been the many requests received by the APT to translate it into other languages. To date, translations have been made into Arabic by the United Nations Development Programme's Bureau for the Arab region, into Farsi by the Secretariat of Penal Reform International (PRI) and into Georgian by

PRI's South Caucasus Regional Office and the OSCE Mission to Georgia.

A further key indicator of the publication's success has been its ever growing use in practice by human rights practitioners in countries as diverse as Argentina, Bahrain, Georgia, Kenya, Mongolia, Russia, Tanzania and Uruguay.

CODE OF CONDUCT FOR MAURITIUS POLICE OFFICIALS

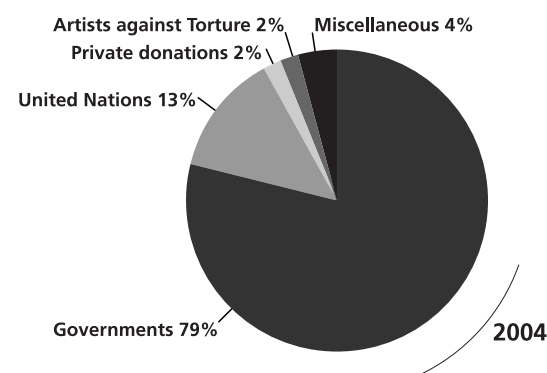
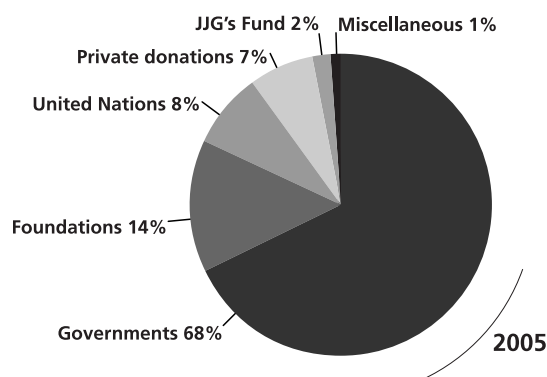
As part of the APT's strategy to provide national actors with practical training materials the organisation achieved success in Mauritius in cooperation with the country's Police Service. In March the two organisations jointly published and disseminated a pocket-sized aide-mémoire *Code of Conduct for Mauritius Police Officials*, which incorporates the Southern African Regional Police Chiefs Cooperation Organisation's Code of Conduct for Police Officials and the Mauritius Police Mission Statement. The primary aim of this handy and informative document is to assist the Mauritius authorities establish a more professional and human rights oriented law enforcement service. During the year the booklet was distributed to all serving police officers in the country. The APT will assess the impact of it during planned seminars in Mauritius in 2006.



BUDGET AND ACCOUNTS

APT ANNUAL REPORT 2005

2004/2005 SOURCES OF FUNDING



As the below chart shows, Western European governments represent the main source of funding. For several years contributions have been received from the Ministries of Foreign Affairs of Denmark, Finland, France, Luxembourg, Netherlands, Norway, Spain, Sweden, Switzerland and the United Kingdom.

Another welcome development has been the third year of support of the UN OHCHR, as well as the new support of the Foundation Hans Wilsdorf and the Foundation Pro-Victimis.

In 2005, the APT was able to balance its income and expenditure in line with the approved budget of CHF 1'669'985 (1'102'190 Euros). Expenditure in 2005 stemmed mainly from publications and travel, related to active global lobbying on the OPCAT campaign – for instance thirty-two in-country advocacy visits and the publication of reference and campaign materials in several languages (see pages 14 and 15).

2004/2005 CONTRIBUTIONS



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Foundations

Hans Wilsdorf Foundation

Pro-Victimis Foundation

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