

ANNUAL REPORT 2003

association for the prevention of torture

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



ABOUT THE ASSOCIATION FOR THE PREVENTION OF TORTURE

Founded in 1977 by Jean-Jacques Gautier and based in Geneva, the Association for the Prevention of Torture (APT) is an independent non-governmental organisation (NGO) whose primary objective is the prevention of torture and other forms of ill-treatment throughout the world.

To fulfil its mission, the APT is committed to:

- 1 ➤ encouraging the adoption and respect of norms and standards banning torture and combating impunity;
- 2 ➤ helping strengthen the capacity of national actors to prevent torture and ill-treatment;
- 3 ➤ promoting the establishment of preventive mechanisms such as visits to places of detention by independent experts;
- 4 ➤ organising awareness-raising, information and training sessions for professionals who are in direct contact with detainees (police, judicial bodies, prison staff), as well as sensitising the general public and instigating attitude changes through meetings and debates.

A pioneer in the movement to prevent torture, the APT seeks to share its expertise with other players in the field through partnerships with NGOs, national and regional human rights institutions, the United Nations and State authorities sincere about reform.

The APT's programmes are implemented by the staff of its Geneva secretariat. An international Board elected by a General Assembly is the governing body of the APT.

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The APT is independent of its financial supporters in all matters concerning policy and strategy used in its activities.



PREFACE

Over 100% success but at a price

I am happy to report that, in 2003, the APT successfully implemented all the main projects planned. However, in an effort to respond positively to the needs of regional and national partners, we also took on more than we had envisaged, with a corresponding increase in expenditure. The more international manner in which we opted to work in 2003 also proved to be very costly. For example, our current and laudable commitment to publish our guides, leaflets and books in different key languages has exploded our publication costs.

Following the adoption of the Optional Protocol to the UN Convention against Torture at the end of 2002, the APT was asked to provide advice, already in 2003, by a variety of governmental and non-governmental bodies from different countries around the world (e.g. Argentina, Bulgaria, Colombia, Costa Rica, El Salvador, Fiji, India, Mexico, Russia, Senegal, South Africa and Tajikistan).

Furthermore, our engagement with police forces increased in 2003, when training was provided for the first time in Africa and in Turkey, in addition to the ongoing work with the Swiss and German police.

Please read this report. I hope you will be impressed that, once again, we have delivered what we said we would do and in a cost-effective manner. What is more, this has been achieved in real partnership with others, for instance the UN, Ministries of Justice, police forces, regional bodies, ombudsmen, NGOs etc.

This is a rather natural and welcome evolution for the APT; however, one lesson learned is that a more operational and global role for the APT entails a need for much more funding. In terms of finances, the Association "ran on empty" during the year as costs were the highest they had ever been. A quantum leap forward now needs to take place in our funding if we are to keep up with the demands being made on our organisation.

Thank you for your interest and support for the APT.

Mark Thomson
Secretary General

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MR MARCO MONA, APT PRESIDENT, TALKING TO
MS MARTITA JOHR, GENEROUS PATRON AND ACTIVE
SUPPORTER OF THE APT SINCE THE BEGINNING

2 MESSAGE FROM THE PRESIDENT

Among the different viewpoints that befit a human rights NGO, the most appropriate is to my mind that of Sancho Panza – he sees the world neither from the ground, which offers too limited a view of the horizon, nor from the horse's saddle, from whence the intricacies of human life escape the hidalgo's majestic gaze. It is at the height of Sancho Panza's donkey that the glance encompasses both the details and the vast horizon, making possible an interpretation of events which, thanks to an intimate knowledge of life in all its detail, rectifies the gross generalisations that arise from a carefree "global perspective".

The world of Cervantes would not have been complete without the sometimes simple view of reality through the eyes of Sancho Panza. The same is true of our world and NGOs. Being in a position which knows neither power nor subservience, their views serve the cause of humanity; and it is even better if, like Sancho Panza, they can add the occasional touch of irony.

Two years ago the hidalgos of our day decided they were going to eradicate terrorism by all possible means. We NGOs agree with them on the substance: terrorism must be stopped. However, the pretext of the fight against terrorism has done a lot to undermine human rights, because of a purported conflict of objectives, and this can not continue either. The most

visible example, although there are sadly many more, is Camp Delta in Guantanamo Bay, which British judge Lord Steyn has called "a legal black hole". Many NGOs have raised their voices against these violations of basic rights, the APT among them.

The Foundation for Geneva recently awarded its 2004 prize to the Association for the Prevention of Torture and the World Organisation against Torture (OMCT), in this way honouring the courageous and tenacious commitment of Jean-Jacques Gautier, the founder of both these NGOs. We are very happy and proud to have been chosen for this prize. The fact that we are sharing it with OMCT underlines both the strength of our cooperation and the complementary nature of our work in the fight against torture. Nonetheless, the true prize-winner and the one most deserving of this reward is Jean-Jacques Gautier. We receive this recognition with honour, knowing that we are but the representatives of this exceptional man. It is Ms Catherine Gautier and her children and grandchildren to whom this honour by rights belongs.

Marco Mona
President



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HIGHLIGHTS

➤ **LAUNCHING THE CAMPAIGN FOR THE IMPLEMENTATION OF THE OPTIONAL PROTOCOL:**

- Building momentum around the entry into force of the Optional Protocol to the UN Convention against Torture
- Implementation of the Anti-Torture Protocol: the experience of the United Kingdom, by Mr Alisdair Walker from the UK Foreign and Commonwealth Office

➤ **ENHANCING LOCAL MONITORING CAPACITIES:**

- Strengthening local capacities to conduct preventive visits to places of detention
- Monitoring places of detention: the Colombian experience by Ms Patricia Ramos from the Ombudsman's Office

LAUNCHING THE CAMPAIGN FOR THE IMPLEMENTATION OF THE OPTIONAL PROTOCOL

> BUILDING MOMENTUM AROUND THE ENTRY INTO FORCE OF THE OPTIONAL PROTOCOL TO THE UN CONVENTION AGAINST TORTURE

Looking back on this first year since the adoption of the Optional Protocol to the UN Convention against Torture (OPCAT), we can see that 2003 was marked by a flurry of activity and some considerable successes. The biggest challenge for the APT was turning States' passive support for the idea of the OPCAT into concrete action.

The first task in the APT's implementation campaign was to draft, translate and publish key documents on the OPCAT. These included a booklet on setting up national preventive mechanisms, a flyer answering frequently asked questions, and briefing papers. The APT also drafted a comprehensive, practical manual on the OPCAT, in cooperation with the Inter-American Institute of Human Rights, a regional organisation based in Costa Rica.

Another priority was to continue building on partnerships established during the adoption campaign with NGOs, States, national institutions and the UN Office of the High Commissioner for Human Rights, in order to sustain a truly global movement. This spawned new agreements for joint or individual action to promote

OPCAT ratification. Several new partnerships were also forged with local and regional players.

Cooperation was fostered through trips to different countries to lobby for the signature and ratification of the OPCAT and promote national debate on how to prepare for national implementation. Countries visited by the APT in 2003 included: Argentina, Botswana, Brazil, Bulgaria, Burkina Faso, Colombia, Costa Rica, El Salvador, Mexico, Moldova, Mozambique, Nepal, Niger, Russia, Senegal, South Africa and Tajikistan. Of these States, five have now signed the OPCAT and are proceeding towards ratification. The APT also gave practical advice to a number of States which expressed the wish to sign and ratify the OPCAT, namely: Austria, the Czech Republic, Italy, New Zealand, the Republic of Korea and the UK. Three of these have signed the OPCAT and the UK became the third State Party (for more information on the UK experience, see the next article by Mr Alisdair Walker).

The APT made the most of its presence at regional meetings to raise awareness about the OPCAT, for instance within the Organisation of American States, the African Commission on Human and Peoples' Rights and the Organisation for Security and Co-operation in Europe.

Within the UN system, a signal event was organized in large part thanks to the APT. During the opening session of the UN General Assembly, the OPCAT was at the heart of a special treaty event where dignitaries from different States were invited to sign and ratify the treaty in the presence of the international media. On this occasion Malta and Albania ratified and sixteen other States signed the OPCAT (to follow the progress of signature and ratification of the OPCAT, see the APT website: www.apt.ch).

Thus, one year on, the OPCAT has three States Parties and twenty-three signatures spanning all the regions of the world. This is a strong start on the road to obtaining the twenty ratifications necessary for the OPCAT to come into force.



PRIME MINISTER OF THE REPUBLIC OF MALTA H.E. THE HON. EDWARD FENECH ADAMI, SIGNING AND RATIFYING THE OPCAT



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>> IMPLEMENTATION OF THE ANTI-TORTURE PROTOCOL: THE EXPERIENCE OF THE UNITED KINGDOM

*by Mr Alisdair Walker, Desk Officer,
Human Rights Policy Department,
UK Foreign and Commonwealth Office.*



The UK believes that the Optional Protocol to the UN Convention against Torture (OPCAT) is the best means of strengthening international mechanisms to prevent torture. Practical experience has shown that visits to places of detention constitute one of the most effective means to prevent torture and to improve conditions of detention. Visits not only have a deterrent effect but they also create the opportunity for experts to examine, at first hand, the treatment and conditions of detention of persons deprived of their liberty, and to make recommendations for improvements. The UK itself is of course subject to visits by the European Committee for the Prevention of Torture. In light of this, the UK was a committed supporter of the Optional Protocol since negotiations began over 10 years ago. It took an active part in securing its adoption at the UN in December 2002 by undertaking extensive lobbying around the

world throughout the previous year. The UK was also among the first countries to sign the Optional Protocol on 26 June 2003, UN International Day in Support of Victims of Torture, and then to ratify it on 10 December, UN Human Rights Day.

In order to be ready for an early ratification, the UK undertook a consultation exercise in October 2002 with all government departments affected by the proposed introduction of the OPCAT (the Home Office, Department of Health, Scottish Executive, Northern Ireland Office, Ministry of Defence and Department for Constitutional Affairs). The aim of the consultation was to ensure that all the necessary national visiting mechanisms were in place. The OPCAT states that countries may maintain, designate or establish national mechanisms. It was soon clear that the UK already had a range of such mechanisms from the Chief Inspector of Prisons who covers all prisons, both public and private, to police custody visitors who cover police cells. In addition to these, the Devolved Administrations of Northern Ireland and Scotland had a number of different mechanisms in place covering their places of detention. The UK considered that these institutions all fulfilled the stated requirements of the OPCAT that mechanisms should be functionally independent and made up of experts. The Foreign and Commonwealth Office will act as the co-ordinating body. The UK considers that the estab-

lishment or maintenance of national visiting mechanisms is vital for the successful prevention of torture. While the UN body will only visit on an irregular basis, national mechanisms will monitor detention centres regularly and will ensure that UN human rights standards are maintained on an ongoing basis.

The key now is to encourage at least seventeen more States to ratify the OPCAT as soon as possible, as it will come into force after twenty ratifications. It is hoped that these States will be spread across the world as it is important for the mechanism to be as representative as possible. The form of the UN secretariat and the resources committed to the new international mechanism are also crucial factors and the UK hopes they will be sufficient to enable it to be as effective as possible.

The UK's commitment to the OPCAT is just one part of the country's ongoing campaign, which started in 1999 with the launch of the UK anti-torture initiative, to prevent torture worldwide (see www.fco.gov.uk/human-rights for further information).

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ENHANCING LOCAL MONITORING CAPACITIES**> STRENGTHENING LOCAL CAPACITIES TO CONDUCT PREVENTIVE VISITS TO PLACES OF DETENTION**

What can the international human rights community do to ensure that international standards do not remain as empty words, but are actually implemented at national level? The OPCAT provides an innovative an-



PARTICIPANTS OF THE DOMESTIC VISITING MECHANISMS SEMINAR

swer to one of the most challenging questions in international human rights law by giving a key role to independent national institutions in making sure that States Parties fulfil the provisions of the UN Convention against Torture. For the first time, an international treaty spells out powers and guarantees linked to national institutions which are mandated to conduct preventive visits to places of detention.

But how can the APT with its small secretariat in Geneva help these national preventive mechanisms around the world to fulfil their role? To start with, it will continue to act as a resource centre providing expertise and coaching, facilitating experience-sharing and producing training and background materials. In order to obtain tangible results in contexts as varied as Georgia, Uganda, Brazil and France, the APT increasingly works hand in hand with like-minded organisations and individuals at the international, regional and national levels.

This special emphasis on national mechanisms within the OPCAT implementation process in no way means that the APT has lost interest in other players who are also carrying out preventive visits. Indeed, numerous national organisations have already obtained the right, often after a long struggle, to regularly visit places of detention, check premises and documents, interview in private the persons of their choice and

make recommendations to the authorities. The APT believes it is vital to keep supporting them in their work, firstly because they strengthen protection mechanisms within their countries, and secondly because their accumulated professional knowledge and capacities will play a fundamental role in making the OPCAT work on the ground. It is moreover extremely important that all visiting organisations, international and national, apply the same standards in order to avoid contradictions and guarantee maximum impact. This can only be achieved if they are fully professional in their work.

In 2003, the APT supported different visiting groups in their bid to become more professional, for instance by adapting its practical guide on visits to places of detention for use by any kind of national visiting mechanism. It also contributed to training a wide range of organisations in visit methodology, for instance parliamentary visiting commissions in Swiss cantons, NGOs from Eastern Europe, the Ombudsman's Office in Colombia, future EU human rights monitors and the Inter-American Commission on Human Rights.

Convinced that existing national visiting mechanisms are a rich source of practical experience and professional know-how which should be systematized and



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TRAINING WORKSHOP IN COLOMBIA

will be of practical value and provide encouragement to many others who continue come what may to fight for the right to regularly visit and thereby protect persons deprived of their liberty.

shared, the APT seeks to act as a facilitator and a platform for exchange among national players. In July 2003 it organised an international seminar in Geneva for experts from national visiting bodies from eighteen countries as well as international organisations. These included the International Committee of the Red Cross and the National Institutions Team of the UN Office of the High Commissioner for Human Rights.

In a similar joint effort, the APT, the Ombudsman's Office of Colombia and other partners organised a three-day training seminar in Bogotá at which members of the Ombudsman could exchange experiences and know-how with their counterparts from neighbouring countries. The proceedings of these two events will be published in early 2004 and it is hoped

>> MONITORING PLACES OF DETENTION: THE COLOMBIAN EXPERIENCE

*by Patricia Ramos, Deputy Colombian Ombudsman
on penal and penitentiary policy.*



In Colombia visits to places of detention are recognised as one of the main instruments for effective monitoring of conditions of detention. The Colombian Ombudsman is one of the mechanisms that conducts *in situ* visits without prior notification.

Yet it must overcome many hurdles in order to carry out these visits.

First of all, it is able to face the violence prevailing in many places of detention in Colombia, for the conflict in the country is reflected in the prisons. Thus, certain situations are completely beyond the control of the prison authorities. For instance, some sectors of detention centres are run by the detainees themselves who are sometimes armed. This situation clearly has repercussions on visits by the Ombudsman, which must at all costs stay neutral if it is to maintain credibility. It is

therefore important that the Ombudsman address all categories of detainees during its visits, be they paramilitaries, guerrilla fighters or ordinary detainees. This has helped it to build a relationship of confidence and respect and to gain access to places and information where the prison authorities can not.

The Ombudsman can also face resistance on the part of the prison authorities who may try to limit or delay access or openly oppose the visits. This can sometimes be overcome by reminding them that such action is in breach of the law and can lead to sanctions.

The regional seminar on visits to places of detention, which was organised with the support of the APT in Bogotá in June 2003, was extremely useful for the members of the Ombudsman in their field work. It gave them a chance to share their know-how and experiences with their counterparts from other countries in Latin America, and to unify criteria regarding visits with a view to creating homogeneous, or at least similar, standards at the regional level.

At the seminar, the APT played the role of moderator, facilitating the exchange of experiences. It promoted visits to places of detention as an effective means for preventing the violation of the human rights of persons deprived of their liberty, in particular acts of tor-

ture and ill-treatment. Different strategies were also examined for overcoming the obstacles that frequently face visiting teams. In this respect, the importance of effective protection mechanisms for human rights defenders was stressed in particular. Lastly, the importance of the entry into force of the OPCAT was highlighted, as it will strengthen regional visiting bodies in their efforts to prevent torture and ill-treatment.



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ACTIVITIES

- AFRICA
- AMERICAS
- EUROPE
- UN & LEGAL
- VISITS
- COMMUNICATION & FUNDRAISING

AFRICA

Since the adoption in 2002 of the Robben Island Guidelines (RIG) – an instrument initiated by the APT together with the African Commission on Human and Peoples' Rights – the Africa programme has focused on promoting their implementation.

The Guidelines spell out concrete measures for preventing and prohibiting torture and ill-treatment in Africa. Drafted by the APT and the African Commission (see APT Annual Report 2002), they were endorsed by the African Heads of State at a Summit in July 2002. In February 2003 the APT met with the Secretary of the African Commission to discuss immediate action to promote effective implementation. Three steps were agreed on:

- > The nomination of members of the Follow-up Committee to initiate the implementation process: although nomination was delayed because of restructuring within the African Commission, one member of the Commission was appointed as a focal person for the RIG.
- > The publication of a multilingual booklet on the RIG: the APT and the African Commission jointly produced a booklet containing the text of the Guidelines, in order to familiarise African authorities and civil society with this new instrument (for more information see the section on APT publications below).

- > The official launch of the Guidelines at the Assembly of Heads of State and Government of the African Union: this event, organised by the APT and the African Commission, took place on 10 July 2003 in Maputo, Mozambique, during the Second Summit of Heads of State and Government of the African Union. It was stressed that the RIG aim to help States meet their national, regional and international obligations vis-à-vis effective enforcement and implementation of the universal prohibition of torture and ill-treatment.

In December the African Commission and the APT organised a meeting of experts in Ouagadougou, Burkina Faso, which gave rise to interesting analyses and recommendations for effective implementation of the Guidelines.

In addition, the APT's Africa programme worked to promote codes of conduct for the police as a tool for preventing torture and ill-treatment. The highlights of the year were:

- > three workshops on implementation of the code of conduct for police officers drawn up by the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO): the sessions were organised jointly with the Botswana police service with the aim of promoting better application of human rights and the

prevention of torture and ill-treatment in police practice. The idea was that police respect for human rights would improve through understanding and use of the SARPCCO code.

- > publication of a booklet on the SARPCCO code and the mission and values of the Botswana police force. The booklet was distributed to police officers to help them understand and use the code.

As in previous years, the APT participated in the two ordinary sessions of the African Commission, which provided a platform for promoting the RIG and raising awareness of the OPCAT.



POLICE TRAINING WORKSHOP IN BOTSWANA



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AMERICAS

The activities of the Americas programme centred on the campaign for ratification of the OPCAT and the establishment of national visiting mechanisms. In Colombia the Ombudsman's Office, which is known as the "Defensoría del Pueblo", has built up considerable expertise in the field and the APT was pleased to respond to its request for training in visit methods and international human rights standards for the protection of persons deprived of their liberty. With the support of the Colombia UN Office of the High Commissioner for Human Rights, the APT and another Geneva-based NGO, the International Service for Human Rights, organised a three-day training workshop in Bogotá in June. The objective was to give the Colombian Ombudsman and other national and regional visiting organisations an opportunity to exchange experiences. The event, which drew over seventy participants, provided a forum for open dialogue with the Director of Prison Services, who was present, and prompted public debate and press coverage on the question of torture and ill-treatment in Colombian detention centres.

In Argentina, the APT responded to the active mobilization of local actors to promote the OPCAT, advising and participating in several events on the importance of control mechanisms to places of detention and the exploration of different models. In Costa Rica and El

Salvador, the APT supported the ratification process, while in Mexico the APT prompted state level human rights commissions to promote the OPCAT through their Federation. Preparations were advanced for a seminar to take place in Sao Paulo, Brazil in 2004 to facilitate debate and analysis about the type of national preventive mechanism most suitable for this and other federal States. At a regional level, the APT secured the commitment to the OPCAT of the leading human rights organisations in the continent, as well as the Latin American Parliament.

The APT spared no effort in its support for existing international human rights mechanisms. It promoted and encouraged the work of the Inter-American system to prevent torture and ill-treatment within the countries of the Organisation of American States (OAS). In September, it organised a training session for staff of the Secretariat of the Inter-American Commission on Human Rights (IACHR) in Washington D.C. aimed at strengthening their capacity to monitor detention conditions during their missions to countries of the region. The presence of a representative from the European Committee for the Prevention of Torture and a regional expert in visits to places of detention provided a chance for the IACHR to hear different experiences and discuss alternative methodologies.



TRAINING SESSION FOR THE IACHR

The APT promoted cooperation between the IACHR and the UN Special Rapporteur on Torture, Mr Theo van Boven, by organising his visit to the IACHR in Washington D.C. in February. This provided a chance for him to voice his concerns and to share and learn on action, strategies and working methods for preventing torture in the region.

Aiming to support the UN Special Rapporteur on Torture in following up on recommendations, the APT carried out a pilot project in Brazil (see UN & Legal chapter).

EUROPE

The Europe programme pursued numerous projects launched in 2002 or earlier. The main event of the year was the organisation of a national workshop in Moldova on implementation of the recommendations on prisons of the European Committee for the Prevention of Torture (CPT). The APT noted that while the CPT makes excellent recommendations to States on how to prevent torture and ill-treatment, these are not always taken into account. In 2002, the APT seminar on "How to improve implementation of the CPT's recommendations" (see APT Annual Report 2002) concluded that one of the best ways of improving implementation of the recommendations was by promoting coherent national strategies through national workshops attended by all relevant parties. Moldova was a good country to start with for several reasons, including its willingness to follow CPT recommendations. Two events were organised there in May 2003. The first was a public conference in Chisinau on "Prevention of Torture: the Impact of International Standards and Recommendations in Moldova" at which ninety participants discussed the standards and recommendations issued by the United Nations and the Council of Europe and their implementation in Moldova. This was followed by a workshop for forty-nine prison staff on implementing the CPT recommendations. The discussions identified changes that could be in-

troduced quickly using existing resources, as well as measures requiring financial investment. On the basis of these discussions a plan of action for improving prison conditions in Moldova was drafted and submitted to the Moldovan authorities for comment and adoption. It was also presented at the Council of Europe meeting of the Steering Group on Prison Reform in Moldova, held in Strasbourg in November 2003. This project will continue in 2004 when it will focus on implementing the plan of action.

The APT continued to follow and participate in discussions relating to the prevention of torture at the three European organisations – the Council of Europe, the Organisation for Security and Co-operation in Europe (OSCE) and the European Union. In 2003 it developed closer contacts with the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in particular and participated in several OSCE/ODIHR events. These included the Supplementary Human Dimension Meeting on Prevention of Torture and a seminar organised by the OSCE office in Tajikistan on the prevention of violence during pre-trial detention. After the success of the English version of the APT/ODIHR guide Monitoring places of detention: a practical guide for NGOs, the APT and ODIHR translated and published a Russian version of the text.



PARTICIPANTS OF THE WORKSHOP IN MOLDOVA ON CPT RECOMMENDATIONS

As in previous years, the Europe programme also focused on the question of the police and human rights. Within Switzerland, it organised training courses on the work and mandate of the CPT for cantonal police forces. For the first time, the APT was invited by the Swiss Police Institute to contribute to training future municipal police officers. In total, the APT trained some three hundred and seventy Swiss police officers. At the European level, the APT once again organised a Human Rights Orientation Week for police students from Hessen, Germany, in April. It further gave human rights training for sixty Turkish police and gendarmerie officers in Ankara, Turkey, in September, as part of the Council of Europe's "Police and Human Rights – Beyond 2000" programme.



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UN & LEGAL

Following the adoption of the OPCAT in December 2002, the prime objective of the UN & Legal programme was to campaign for an early entry into force of this new instrument. While the APT played a leading role in this process, it nonetheless continued to work closely within existing partnerships as well as developing new forms of cooperation at national, regional and international levels. All this promotional work has borne considerable fruit: by the first anniversary of the OPCAT's adoption, three countries had ratified it and twenty-one had signed it (for more information on the campaign, see the above section).

Throughout the year the APT was active in providing advice and taking part in discussions at the UN Commission on Human Rights, for instance on the "Omnibus Torture Resolution", and at the UN Committee against Torture (CAT), for the first time posting daily commentaries and reports of the debates on its website.

The APT also supported the UN Special Rapporteur on Torture in following up on recommendations made after fact-finding missions. A pilot project was carried out in Brazil to evaluate the status of implementation of recommendations he had made following a visit to the country in 2000. The APT supported local NGOs in producing a report on shortcomings

and progress made in applying each recommendation. This was then submitted to the Special Rapporteur who expressed his appreciation and interest in receiving similar support in the future. The report will be published in 2004.

In striving to help strengthen capacities of local actors on torture struggling against torture and promoting effective prevention, the APT offered assistance and training in Iran, Russia and Turkey. In Uganda, the APT participated in working sessions organised by the International Rehabilitation Council for Victims of Torture to assist the Government to draw up their initial report to the CAT.

The current international situation wherein some States have questioned the absolute prohibition of torture, also had repercussions on the work of the APT's UN & Legal programme, which joined with other international NGOs in expressing its grave concern. The APT took active part in various debates on counter-terrorism measures and their impact on human rights and drew up position papers reiterating that the prohibition of torture is an absolute principle that must be applied in all circumstances, even in times of crisis.

Lastly, the UN & Legal programme continued concluding research into various topics and drafted the second and third brochures in a five-part series analysing developments in international law with respect to the prohibition of torture. The second brochure looks at jurisprudence arising from the Inter-American human rights bodies while the third examines the decisions of the *ad hoc* international criminal tribunals of Rwanda and the Former Yugoslavia. Their publication has however been postponed until 2004 and 2005 respectively for lack of funding. Nonetheless, a booklet was brought out in 2003 on the definition of torture, based on discussions from an APT seminar in 2001 (see "*The Definition of Torture: Proceedings of an Expert Seminar*" in the section on APT publications).



ADVICE ON UGANDA INITIAL REPORT TO THE CAT

VISITS

This new programme was set up in 2003 in response to increasing requests for advice and training on monitoring places of detention with the goal of preventing torture and ill-treatment. It seeks to facilitate experience-sharing between international, regional and national human rights bodies visiting places of detention in order to collect and disseminate best practices in visit methodology.

Following the adoption of the OPCAT, which provides for the creation or designation of one or several national bodies mandated to visit places of detention,

the APT and the UN Office of the High Commissioner for Human Rights organised an international seminar on existing national mechanisms for visiting places of detention. This took place in July in Geneva and was attended by members of eighteen national visiting bodies, NGOs and the International Committee of the Red Cross. The forty or so participants had a chance to exchange experiences and draw conclusions about the working methods and effectiveness of their national visiting mechanisms. A detailed report on the seminar will be published in early 2004.

Considerable effort was also put into training. In Switzerland, the APT held meetings with members of the Geneva Parliamentary Commission of Official Visitors, which conducts regular visits to places of detention in the cantons of Geneva and Vaud. In a useful and interesting exercise carried out with the International Committee of the Red Cross, the APT organised role-plays for members of the Commission on holding private interviews with detainees. As in past years, the APT also provided training and advice to the Parliamentary Commission of Ticino, which has monitored places of detention throughout the canton since 2000. With five new members out of seven in 2003, the Commission asked the APT to hold a one-day training session on visits to places of detention. Outside Switzerland, the APT was asked by the Bulgarian

Helsinki Committee to contribute as a trainer to a first workshop for Eastern European NGOs taking part in the three-year project "Preventing Torture in the Closed Institutions of Central and Eastern Europe." This project foresees monitoring of places of detention in six countries and joint international missions. The APT will continue to be involved in the project and will take part in the missions.

The Visits programme moreover developed materials for use in training and for distribution to human rights defenders interested in monitoring places of detention. A prime example is the publication of adapted versions of the APT Guide on Monitoring Places of Detention (brought out in 2002) for all types of national visiting mechanisms and French parliamentarians (see section on APT publications).



VISIT TO CHAMP-DOLLON PRISON IN GENEVA WITH PARTICIPANTS OF DOMESTIC VISITING MECHANISMS SEMINAR



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COMMUNICATION

The Communication programme is chiefly responsible for promoting APT activities, coordinating publications and fundraising. It works closely with the thematic and geographic programmes, in an effort to enhance the impact and visibility of APT projects and issues related to the prevention of torture. Two projects stood out in 2003: Firstly, in September a concert was organised in Geneva with the renowned pianist and director of the Lausanne Chamber Orchestra, Mr Christian Zacharias, to promote APT activities. Secondly, a compilation of texts by the APT's founder entitled "*Jean-Jacques Gautier et la prevention de la torture: de l'idée à l'action*" ("Jean-Jacques Gautier and the prevention of torture: from idea to action") was brought out.

Each year since 1999 the APT has co-organised an awareness-raising campaign around International Day in Support of Victims of Torture. In 2003 a round-table entitled "The fight against terrorism: can we legitimise torture?" was held at the International Red Cross Museum in Geneva, in collaboration with four other Swiss NGOs. This well-attended presentation examined the threat that current counter-terrorism measures pose to the rights of detainees, placing special emphasis on the consequences of September 11, 2001 on the incidence of torture in the world. The CHF 9,500 raised from the campaign were donated to

the Swiss-based Foundation "Dignity in Detention" for a project to build separate facilities for young offenders in a prison in Guinea-Conakry, Africa.

The Communication programme also worked on developing tools such as the APT website. In particular, it launched a unique on-line Legal Reference Service at the end of 2003 (www.legal.apr.ch).

> FUNDRAISING

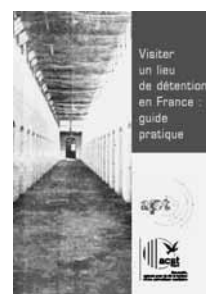
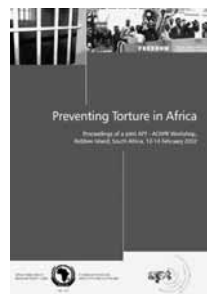
2003 APT budget represented an 11,5% increase over the 2002 budget, primarily accounted for by the creation in 2003 of the Visits Programme and the expansion of the UN & Legal Programme.

Switzerland remains the APT's largest donor if one combines the funds received from the different sections of the Federal Department of Foreign Affairs. The APT received contributions from eight other government donors: the Canadian, Danish, Dutch, Finnish, French, German, Spanish and Swedish Ministries of Foreign Affairs and the UK Foreign and Commonwealth Office. Financial support was also received from institutions such as the Organisation for Security and Cooperation in Europe (OSCE), the UN Office of the High Commissioner for Human Rights,



APT PRESIDENT MR MARCO MONA, WITH SWISS MINISTER OF FOREIGN AFFAIRS, MS MICHELE CAULLEY-REY, AT THE SEPTEMBER PIANO RECITAL

the University of Geneva and the Oak Foundation, with whom a two-year contract was signed for the first time. Most of these contributions are ear-marked and hence require specific reporting. The APT continued to receive support from individual donors.



PUBLICATIONS IN 2003

***Jean-Jacques Gautier et la prévention de la torture: de l'idée à l'action* (French)**

A compilation of texts, articles and documents written by Jean-Jacques Gautier, founder of the APT, relating the evolution of his idea of preventing torture through visits to places of detention carried out by independent experts.

***Monitoring places of detention: a practical guide for NGOs* (English and Russian)**

The Russian version of a guide published by the APT in 2002 to help national NGOs in setting up and implementing visit programmes. It looks at practical methodology and follow-up issues as well as international standards relevant for the struggle against torture.

***Preventing Torture in Africa* (English)**

This book contains thematic papers that contributed to the drafting of the Robben Island Guidelines on the prevention of torture in Africa, adopted by the African Commission on Human and Peoples' Rights, with the aim of assisting States in implementing their obligation to effectively prohibit torture.

***Visiter un lieu de détention en France: guide pratique* (French)**

Published jointly with ACAT France, this practical guide aims at assisting parliamentarians and monitoring commissions in carrying out visits to places of detention. It examines both French legislation and relevant international standards.

***The Definition of Torture: Proceedings of an Expert Seminar* (English)**

Presented as a basis for further discussion, this publication contains a summary of proceedings and concluding observations from an expert seminar held to examine the interpretation of the definition of torture in international law and the consequences of any conclusive comments on the issue.

***Robben Island Guidelines* (English, French, Portuguese and Arabic)**

Intended for distribution to local organisations, this multilingual booklet, published jointly with the African Commission on Human and Peoples' Rights, provides the complete resolution on the Guidelines and measures for the prohibition of torture and ill-treatment in Africa.

On our website www.apr.ch you will find the complete list of APT's publications, as well as electronic versions available to download.

You can order hard copies of APT's publications sending us your request by post, fax or e-mail at:

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