



association for
the prevention
of torture

2012

• Annual Report



Founded in 1977 by Jean-Jacques Gautier



• Association for the Prevention of 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.

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

Funding

The APT is funded by individual donations, charitable foundations, governments and inter-governmental agencies (which are listed on pages 25 and 28 of this report). However, the APT insists on its independence with regard to policy, strategy and priorities.

Awards

The APT is a recipient of the following awards:

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

Message from the President



2012 was a special year for the APT because of a series of anniversaries – the main one being the **100th anniversary of the birth of Jean-Jacques Gautier**.

By naming its new headquarters the **Centre Jean-Jacques Gautier** and inaugurating the Centre on the 100th anniversary of the birth of its founder, the APT wished to pay tribute to a man whose vision has gradually imposed itself as the obvious way forward. Today, the opening of places of detention to external scrutiny is no longer merely an idea but a reality carried forward by men and women who visit prisons, police stations and psychiatric institutions to better understand and help improve the everyday lives of the people held inside these places.

For its part, **the APT celebrated its own 35th anniversary in 2012**. What a long way we have come since the days of the “small” *Swiss Committee against Torture* and its development into the international NGO with global reach that it is today! This is thanks to the commitment and professionalism of all the APT staff, which presents me with an opportunity to pay tribute to the quality of their work and the excellent leadership of Mark Thomson.

These anniversaries do not only concern our organisation but also APT action that has contributed towards progress in the prevention of torture and ill-treatment at the international level.

Thus, **25 years ago** – in 1987 to be precise – the Council of Europe adopted the **European**

Convention for the Prevention of Torture, the first realisation of Jean-Jacques Gautier’s idea. Through visits conducted by the European Committee for the Prevention of Torture, the treatment and living conditions of detainees have improved and reforms have been initiated, including here in Switzerland. In addition, interaction between the Regional Committee, national mechanisms and the UN Committee to ensure a coherent and effective system of prevention is progressing.

Finally, the year 2012 marked the **10th anniversary of the adoption of the Optional Protocol to the Convention against Torture**; this triggered the APT to engage with new partners, to measure the progress accomplished so far in terms of implementation and to highlight the challenges that still lie ahead.

Beyond the celebrations and symbols, these anniversaries presented an opportunity for the APT to review progress and set new goals, while continuing to carry out its activities on the ground with tenacity – alongside its partners – as can be seen in the following pages.

An important year for the APT has thus drawn to a close as it embarks on a fresh start in its new Centre. The APT nonetheless remains faithful – in partnership with you – to the spirit of conviviality and openness of our old office, ‘*la cabane*’. Your support is important and we hope we can count on you to celebrate many more anniversaries and especially to welcome new milestones of progress in our joint struggle to protect the physical and moral integrity of the inhabitants of this planet.

Martine Brunschwig Graf
President

Annual Report 2012 Contents

Message from the President	1
Trends in 2012: Joined-up prevention	2
Celebrating the vision of Jean-Jacques Gautier	4
Middle East & North Africa	6
Europe & Central Asia	8
Asia-Pacific	10
Americas	12
Africa	14
Detention Monitoring	16
UN & Legal	18
OPCAT	20
Financial Situation in 2012	22
APT Staff in 2012	24
APT Board & Advisory Council	25
Communication	26
From midnight to the morning light	27
Centre Jean-Jacques Gautier	28

Trends in 2012: Joined-up prevention



Photo: Helen Putzman Penet

A lot of what we did in 2012 was a rebound from the ground-breaking OPCAT Forum the year before. The Forum not only revealed the growing global involvement in torture prevention but also the expectations those actors have for the APT. We have responded in 2012 by prioritising how we assist our partners to be more effective in prevention.

Apart from the new Centre, the most visible manifestation of that has been the launch of our new website in 2012. The website provides more news, information and analysis on prevention. If you haven't already done so take a look at www.appt.ch and let us know your comments. Improved on-line services that are useful and relevant for our partners around the world marked a major shift in APT communications last year.

The Global Forum also recommended regional initiatives, which the APT duly organised in 2012, on which details are provided in this report. For example:

- In partnership with the African Commission we helped bring African stakeholders together in Johannesburg to breath new vigour into regional prevention plans.
- The Council of Europe's Committee for the Prevention of Torture invited us to Strasbourg to consider their cooperation with NPMs, the SPT and OPCAT State parties. We also contributed to the Council of Europe's project to strengthen NPMs in Europe.
- The Inter-American Commission hosted a hearing on Brazil, at the initiative of the APT and the Prison Pastoral Care.
- The capacity strengthening of National Human Rights Institutions, together with the Asia Pacific Forum, continued.
- APT contributed to the new European Union strategic plan on human rights, which makes specific reference to support for NPMs.
- Together with the Swiss government we revived our collaboration with the OSCE in Vienna and Warsaw.

Last but not least the APT organised, together with the Moroccan government and the Office of the High Commission for Human Rights, the first North Africa conference on prevention. The Rabat conference was truly ground-breaking in enabling policy makers from every North African country, from Egypt to Mauritania, to discuss

ways forward in national prevention policies.

The common theme of all these regional initiatives was the emphasis put on the creation and functioning of effective National Preventive Mechanisms (NPMs), which was the most important recommendation of the Forum. We were pleased to see that this recommendation also had an impact on the international Subcommittee on Prevention of Torture (SPT), which in 2012 launched their "NPM advisory missions" of smaller delegations, for shorter visits to specifically offer advice to NPMs and the support they get from their governments.

“Amnesty International's founder once said: ‘We have to make torture as unthinkable as slavery’. Thanks to the Association for the Prevention of Torture, who through its work makes this dream a reality.”

Manon Schick, Director of the Swiss section of Amnesty International

The participants of the Forum also made requests for more tools to assist them in their work and more emphasis on persons in situations of vulnerability in detention. Examples of how the APT responded are contained in this report but allow me to highlight a few of them: work on a guide on monitoring police custody; organisation of an SPT expert meeting on mental

health in detention; guidelines for European Parliamentarians on monitoring of migrant detention centres; and an international gathering of law makers to share experiences in drafting and adoption of anti-torture laws. This will lead to the development of an on-line tool box in 2013.

To help us meet these new demands and expectations we introduced a new system of prioritisation of projects which matched our strategies, the needs of our partners, emerging opportunities and the recommendations of the Forum. Our Board supported the on-going efforts to sustain our effectiveness, efficient use of resources and impact on the ground. I'm pleased to conclude that the APT is fulfilling a crucial substantive and facilitating role that enables our varied partners to make a difference in preventing torture. So to lend from the concepts of "joined-up writing" and "joined-up government", in 2012 we can see a trend of "joined-up prevention". This is very motivating for all of us at the APT.

Allow me, on behalf of everyone in the Board and Staff to thank you for your interest and support for these endeavours.

Mark Thomson
Secretary General



Preventing torture - From an idea to a global reality,
a short film by the APT

“What a wonderful piece of architecture, so seemingly simple. It echoes perfectly the principles and actions of the APT. It reflects the transparency necessary to combat torture and to improve prison conditions. Congratulations and long life to the APT!”

Philippe Pasquier, Fondation DiDé
(Dignité en Détention)

Breaking new ground: assessing the impact of torture prevention

How can we assess the final impact of torture prevention measures on the prevalence of torture and other abuses? Can torture be measured and if so, how? What are the actions that have made a difference in reducing the risk of torture?

Although these questions are central to APT's work, we do not have either the research skills or suitable resources to provide global and satisfactory answers ourselves. Thus, in 2012, the APT was delighted to be able to commission a major three year research project on the measures and mechanisms which have demonstrably contributed to reducing the risk of torture.

Richard Carver, a British academic with experience on assessing the effectiveness of National Human Rights Institutions, took the lead on the implementation of the research project. Mr. Carver and his team are carrying the project independently from APT so as to guarantee the impartiality of the research process.

The initiative will involve in-depth field analysis in up to 12 countries with the participation of national researchers. The report of phase 1 which provides an overview of existing research and literature on the topic of torture prevalence and possible research methodologies was released in November, and a small expert meeting was convened in Geneva in December to discuss the findings and formulate recommendations regarding the next phases of the project.

Celebrating the vision of Jean-Jacques Gautier

In 2012 the APT celebrated the 100th anniversary of the birth of its founder, Swiss banker Jean-Jacques Gautier (1912-1986). It was Gautier who in 1976 first proposed an international convention that would put in place a system of regular, unannounced visits by external actors to all places of detention. In 1977 he founded the Swiss Committee against Torture (*Comité Suisse contre la torture*), which would later become the APT, as a platform to promote the prevention of torture.

“Jean-Jacques Gautier was, and his legacy remains, a leading light in the global fight to relegate torture to history, where it belongs.”

Navi Pillay, UN High Commissioner for Human Rights, during the official inauguration of Centre Jean-Jacques Gautier on 21 September 2012

What better tribute to this visionary humanist than to name the new APT headquarters after him? The **Centre Jean-Jacques Gautier** was inaugurated on 21 September 2012, in the presence of: Madame Catherine Gautier, widow of APT's founder; Pierre Maudet, Geneva State Councillor; APT President Martine Brunschwig Graf and some hundred friends and partner organisations of the APT. Key note speaker Navi Pillay, UN High Commissioner for Human Rights, thanked the APT for its “unwavering support” in the fight to prevent and eradicate torture. She reminded guests of the instrumental role



played by the APT in conceiving and drafting key regional and international torture prevention treaties, including the Optional Protocol to the UN Convention against Torture. The High Commissioner also pointed to the unique cooperation that has developed between her Office and the APT.

Throughout the year the APT organised and participated in a series of other events dedicated to the memory of Jean-Jacques Gautier, including a seminar at the Law School of University of

St. Gallen, a workshop on the effectiveness of torture prevention, organised in cooperation with the Geneva Academy of Humanitarian Law and Human Rights, and a two-day event in Gautier's commune of birth, Chêne Bougeries, Geneva.





“Thank you for having constructed this building, entirely in wood, glass and light – taking another step towards a world without torture, with respect for the dignity of all.”

Bacre Waly Ndiaye
OHCHR and APT Advisory Council

Centre Jean-Jacques Gautier

In June the APT team finally moved into its new headquarters - the **Centre Jean-Jacques Gautier**, built on the grounds of the old “cabane” in the heart of international Geneva.

The building was designed and constructed by a consortium of Swiss architects, *Charpente Concept* and *GM Architectes Associés*, following some important principles:

- **Sustainable development:**
the building is highly energy efficient and certified for the Minergie label.
- **Use of local resources:**
the construction material is mainly certified wood from Swiss forests.
- **De-constructible:**
if needed, the building can be disassembled and rebuilt elsewhere.

The **Centre Jean-Jacques Gautier** was also designed to reflect APT’s values – with its large glass structures the architecture encapsulates the idea of transparency as well as the notion of a bridge, to create contact and to reach our goals.

Investing in a new building gives the APT an important financial security. The Centre has been financed entirely outside APT’s operational budget, by generous donations including from Swiss foundations and individuals. (see p.28 of this report)

Middle East and North Africa Programme

The year 2012 brought tectonic shifts to the socio-political landscape of the MENA region. In some countries, ordinary men and women participated in democratic processes for the first time in their lives with enthusiasm, expressing their visions and fears about the future. Victims of torture came to power, without being able to eradicate torture. Horrendous torture practices continued in other states, while a multitude of international actors interfered and only rarely revealed their true interests. In the midst of this, human rights advocates continued to focus on upholding human dignity and preventing torture. They were able to make progress, sometimes thanks to the changes, and sometimes in spite of it.

“After the National Assembly, the Senate just adopted the draft law on OPCAT ratification this 30 May 2012. ... APT’s cooperation and support are bearing fruit; let’s continue together!”

Bamariam Baba Koita, President of the National Human Rights Commission of Mauritania

The APT had the privilege to work and interact with these courageous men and women from civil society, national human rights institutions, public bodies, parliaments and international organisations. The priority remained to advance on ratification and implementation of the Optional Protocol to the UN Convention against

Torture (OPCAT) in the region, while not forgetting about the other building blocks for a torture-free future. Other important factors include triggering political will to prevent torture, ensuring that detainees have access to a lawyer from the outset of detention and that legislation is in place to bring perpetrators of torture to justice.

OPCAT in Mauritania and Tunisia

The APT continued its fruitful cooperation with **Mauritanian** actors, namely the National Human Rights Commission, to encourage Mauritania to ratify and implement the OPCAT. The efforts were crowned by success on 4 October 2012, when Mauritania became the 64th State Party to the treaty. Earlier in the year, the APT had organised, jointly with the National Human Rights Council and the Committee for the Prevention of Torture in Africa, a national workshop on criminalisation



The APT, represented by François de Vargas, former Secretary General, received an award from the President of Tunisia, for its “active solidarity during the years of hardship”
.....

- ✓ Rabat workshop: First North-Africa inter-governmental meeting on torture prevention
- ✓ Tunisia: Advance towards NPM creation
- ✓ Mauritania: new state party in the region

and prevention of torture and had the opportunity to engage directly with major decision makers. Back in Nouakchott in December, the APT discussed the challenges of implementing OPCAT

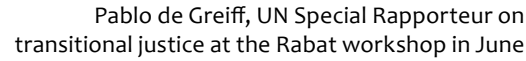
with key national stakeholders in the country and looked at the different options for establishing the National Preventive Mechanism.

Tunisia made important progress towards effective implementation of the OPCAT. In early 2012, the OPCAT was hardly known in this recent State Party, which had just emerged from its first democratic elections. A year later the Minister for Human Rights and Transitional Justice handed over a draft implementation law to the head of the transitory parliament. This draft law, to establish a National Authority for the Prevention of Torture and Ill-treatment, is the fruit of a participatory consultation and drafting process involving joint efforts by the Tunisian civil society and the government. The APT, together with the World Organization against Torture (OMCT) and a range of other national and international partners, provided technical advice and co-facilitation of this process.

Rebuilding trust in North Africa

Denial about what happens behind closed doors, of detention places in the region, is fading away

The event confirmed that torture prevention is a main in-region preoccupation. Participants paid tribute to the victims of torture in their countries of origin. They agreed on the necessity of comprehensive strategies that combine measures to address past violations and to rebuild trustworthy institutions for the future –



The APT aims at building bridges between torture prevention actors to support them in their struggle to eradicate torture. The changes in the region opened new torture prevention opportunities and new challenges almost every day. To facilitate exchange of best practices and new ideas, the APT launched a quarterly e-bulletin *MENA - a torture free zone*. The e-bulletin offers space to activists from the region to share experiences and to learn of the opinions of others.

Europe and Central Asia Programme

The Europe and Central Asia region continued to see steady progress in regard to the Optional Protocol to the UN Convention against Torture (OPCAT). **Austria** and **Hungary** both ratified the instrument, OPCAT ratification laws were passed by the parliaments of **Italy** and **Portugal** in late 2012, and a formal decision to ratify was made by the **Norwegian** government in December. In the same month **Finland's** ratification law was sent to parliament. The progress made in 2012 will result in a marked increase in States Parties in 2013.

Although several European and Central Asian states had yet to establish National Preventive Mechanisms, the largest number of NPMs globally (30 out of 46) continued to be found in the region. We saw for example the creation of an entirely new structure for the purposes of the Austrian NPM. Six regional monitoring commissions were

established, consisting of 42 part-time experts. An extra 14 persons have been employed in the Austrian Ombudsman Board to assist the monitoring commissions, while a part-time council was created with an advisory role vis-à-vis the NPM.

Despite the overall progress, noticeable gaps and challenges with respect to instituting effective NPMs existed in practice. In a very welcome move the European Committee for the Prevention of Torture (CPT) included for the first time a special focus on NPMs in its annual report, setting out its provisional thoughts on future relations with NPMs.

Initiatives to implement the OPCAT

The APT participated in various initiatives throughout the region aimed at ensuring the effective implementation of the OPCAT, in countries as diverse as Austria, Hungary, **Ireland**, **Kyrgyzstan**, **Mongolia**, **Tajikistan**, **Turkey** and **Ukraine**. We also continued to be involved in the Council of Europe/European Commission's *European NPM Project*.

- ✓ *Kyrgyzstan: ensuring implementation of SRT recommendations*
- ✓ *Role of independent and effective NPMs emphasised in EU human rights strategy*
- ✓ *Renewed cooperation with OSCE*

However, the core of APT's work in the region in 2012 was with the three countries within the Open Society Institute supported project, 'The Common Challenge of Preventing Torture and Ill-treatment in Kyrgyzstan, Mongolia and Tajikistan'. In Mongolia, for example, the APT supported a national seminar on

NPMs in Ulaanbaatar in April and training for representatives of civil society and the National Human Rights Commission focusing on the implications of setting up an NPM. The APT used its presence in the country to participate in a hearing on the OPCAT in the Mongolian parliament, the Great State *Hural*. At the end of the year legislation was being finalised by the Ministry of Justice and Home Affairs to pave the way for OPCAT ratification and the designation of an NPM.

Ensuring follow-up to UN human rights mechanisms in Central Asia

The much anticipated visit of the UN Special Rapporteur on Torture to Kyrgyzstan took place in December 2011 and his report became public in February 2012. To ensure swift and systematic follow-up to the many recommendations contained in the report the APT co-sponsored a high-profile roundtable event in Bishkek in May 2012. The meeting was unquestionably one of the



Oyunchimeg Purev, Commissioner, National Human Rights Commission of Mongolia

Photo: APF

Asia-Pacific Programme

The **Philippines'** ratification of the Optional Protocol to the UN Convention against Torture (OPCAT) in March 2012 has already had regional as well as a national impact. The ratification brought the number of State Parties in the region to four (joining **New Zealand**, the **Maldives** and **Cambodia**), and provided the springboard for Philippino candidate June Paraguian Lopez to be elected to the Subcommittee for the Prevention of Torture. The ratification was the culmination of a long campaign by Philippine civil society, the Commission on Human Rights and others, and is an example in torture prevention advocacy that has been and will continue to be shared in the region. In coming years, the APT will continue to support local actors in the Philippines in their work to designate or establish a National Preventive Mechanism.

“I ask for the Senate’s concurrence in the country’s accession to the OPCAT, confident that this will strongly assist in keeping in check, acts of torture, as well as cruel, inhuman and degrading treatment or punishment of detainees. We are hopeful, that by our accession to this instrument, our jail conditions will finally be improved...”

Senator Loren Legarda, Philippines



UN Committee against Torture member, Justice SB Domah from Mauritius, at a training for judges in Nepal

Meanwhile, half a world away in Geneva, the APT took torture prevention to the UN and conducted advocacy around the Universal Periodic Reviews of **Thailand**, **Indonesia** and the **Philippines**. In addition to OPCAT ratification, criminalisation of torture was a priority issue for recommending states –either encouraging states to improve domestic legal frameworks (Thailand and Indonesia) or improve the implementation of recently enacted anti-torture law (Philippines).

Nepal, Thailand, the Philippines and Indonesia were represented at APT’s expert meeting on anti-torture laws in November, and the APT continued to support discussions around draft anti-torture bills amongst civil society groups and the governments in Thailand and Nepal.

In **Nepal**, a training of trainers brought together judges, police, prosecutors and defence lawyers to emphasize their role in prevention of torture. The training, organised in partnership with the

PREVENTION IN THE MEDIA

National Judicial Academy, provided practical insights about how to use existing laws to prevent torture.

In **Thailand**, the APT focused on working with civil society groups that are preparing an alternative report to the Committee Against Torture. In January the APT, together with the International Commission of Jurists and the Cross Cultural Foundation, brought together lawyers and human rights advocates from across the country to learn about the process of preparing alternate reports. A follow-up workshop was held in November, focusing on the structure and content of the report.

Engagement with small island states

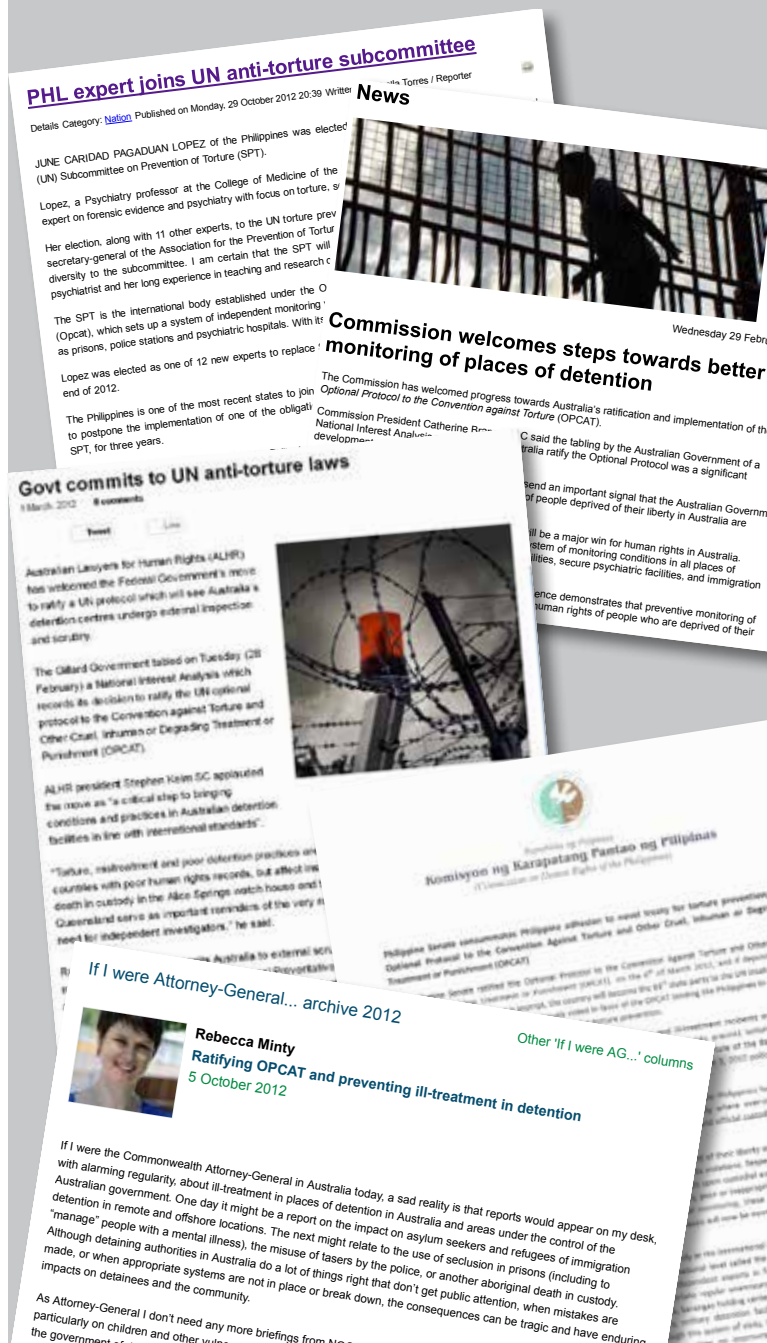
Small island states in the Pacific were also within APT's sights in 2012. It was a turbulent year for the **Maldives** with a contested change in power occurring early in the year. A visit in December to follow up on the long-term support the APT has provided over the past five years to the Maldivian NPM revealed that the fundamentals remain sound and their work will continue to be a good practice to share with new NPMs in the region. In November the APT also visited **Papua New Guinea** and **Fiji** to encourage ratification of the Convention Against Torture. Potential exists for further engagements in this area.

In November, the invitation to the APT Secretary General to provide a keynote address at the International Ombudsman Institute Conference in **New Zealand**, provided an opportune moment to also meet with the country's NPM, one of the

few functioning multi-body NPMs in the world. The New Zealand experiences were especially useful in the APT's subsequent advocacy with the **Australian** government. Australia signed the OPCAT in 2009, and a May 2012 report from a bipartisan Parliamentary Committee, which was strongly in favor of OPCAT ratification, has caused many to hope that Australia will become a State Party in 2013.

The APT appointed its first ever Asia Pacific country delegate in **Indonesia** and has already seen the benefits of having an in country presence with closer engagement with key partners. In December the APT was invited to attend a focus group discussion with the Director General of Law and Human Rights on practical ways to implement the obligations in the Convention Against Torture. In addition to this, the APT's approach in Indonesia is to promote general concepts of prevention and transparency in places of detention.

- ✓ Philippines: OPCAT ratification
- ✓ Prevention back on the agenda in Indonesia
- ✓ Engagement with Nepal judiciary



Americas Programme

During 2012, several countries in the Americas region took important steps to implement the Optional Protocol to the UN Convention against Torture. New national torture prevention bodies were designated in **Argentina**, **Ecuador** and **Nicaragua** and provincial level bodies set up in **Brazil** and **Argentina**. Despite these positive developments, there are still many challenges for functional torture prevention mechanisms in the region.

Fostering South-South cooperation

For the first time in Latin America, National Preventive Mechanisms (NPMs) from two different countries, **Costa Rica** and **Honduras**, had the opportunity to meet and share views and practices. This exchange, facilitated by the APT's regional office in Panama, could lay the foundation for long-term cooperation and set a precedent for future experience sharing between NPMs in the region.

After a period of inactivity following the OPCAT ratification by **Panama** in 2011, the APT gave a boost to the national implementation process in 2012. Among other things we convened a roundtable with a member from the UN Subcommittee on Prevention of Torture and organised workshops with national authorities and civil society organisations, to work on a draft NPM bill and to discuss regional experiences. This was done in close partnership with stakeholders from **Honduras** and **Guatemala**, including the Honduran NPM, *Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura* in

Honduras and *Oficina de Derechos Humanos del Arzobispado* in Guatemala.

Advancing OPCAT implementation

Argentina and Brazil moved forward with the establishment of both national and local torture prevention mechanisms. In November 2012, Argentina finally adopted a law to create a National Preventive Mechanism – 8 years after the OPCAT ratification. In Brazil, which joined the torture prevention treaty in 2007, there were still intense debate between civil society, legislators and government regarding the NPM law. The long delay to designate the NPM and the risk that its independence will not be assured led the APT to hold a public hearing at the Inter-American



Patricia Montero from the Costa Rica NPM visiting a prison

“If I had to spend many years locked up in one of our prisons, I would rather die. (...) We have a medieval prison system that not only disrespects human rights, but also makes rehabilitation impossible.”

José Eduardo Cardozo, Minister of Justice, Brazil

Commission on Human Rights, jointly with the Brazilian Pastoral Care. We also advocated for independent preventive mechanisms through the Universal Periodic Review of the UN Human Rights Council.

In Argentina and Brazil important progress was made in the creation of local preventive mechanisms (LPMs). Argentinean provinces of **Salta** and **Tucumán** adopted laws to create LPMs, while the provinces of **Santa Fe**, **Neuquén** and **Buenos Aires** were just starting the process. Two new local mechanisms started visiting places of detention in **Chaco** and in **Rio Negro**, which the APT supported with detention monitoring training, in partnership with *Centro de Estudios en Política Criminal y Derechos Humanos*.

In Brazil, the state of **Pernambuco** passed specific legislation creating a local preventive mechanism and draft bills were elaborated and discussed in **Minas Gerais**, **Sao Paulo** and **Rondonia**. Together with the LPM of **Rio de Janeiro** the APT organised a first national meeting, gathering key torture prevention actors from ten different states,

Photo: Jérôme Bourquin

PREVENTION IN THE MEDIA

to promote the creation of OPCAT-compliant mechanisms at state level. This was the first stage in a process aiming at consolidating a LPM model for federal countries. As a next step, the APT started working with Brazilian partners to develop guidelines for the establishment of LPMs.

The APT also participated in an expert meeting, organised by the UN Office of the High Commissioner for Human Rights in **Chile**, to give advice on the legal and budgetary reforms that must take place to enable the National Institute of Human Rights to fulfill the NPM mandate effectively, as required by the OPCAT.

After the Inter-American Court's condemnation of **Panama** in the case of **Vélez Loor** the APT



On 26 June 2012, the APT organised an event in Panama, with a theatre performance and a film screening, to commemorate the International Day in Support of Victims of Torture



- ✓ Argentina: NPM law adopted
- ✓ Brazil: National gathering on OPCAT implementation
- ✓ NPM advances: Uruguay, Paraguay, Panama

organised a workshop on the obligations of the State to protect the rights of migrants and to investigate cases of torture. The workshop was directed at the Ombudsman's Office, the State Border Service, the National Immigration Service, the Prison System and the National Police.

Following up on SPT recommendations

Honduras and **Mexico** made advances in the implementing the recommendations of the UN Subcommittee on Prevention of Torture. In Honduras, the ATP co-organised an expert meeting with the NPM to share best practices from the region and to discuss how to implement the new National Penitentiary Act. National authorities also committed to revise the Police and Social Interaction Law. In Mexico, the APT supported authorities in the state of **Oaxaca** to establish a permanent working group to make sure that SPT's recommendations are acted upon.



Africa Programme

2012 was a year of important progress in relation to the implementation of torture prevention instruments in Africa. The year started with the long-awaited appointment of the head of the National Preventive Mechanism in **Senegal**. The Senegalese National Observer became the only new NPM, established by law, about to get operational in Africa. To support this new institution the APT facilitated in July 2012 a peer-to-peer exchange with the French NPM, the first exchange to involve an African NPM. The Senegalese National Observer and his Secretary joined their French counterpart, in its visits to places of detention, getting an exceptional insight into the practical aspects of detention

monitoring. In December the APT organised, together with the Observer and Amnesty International, a national consultation in Dakar. This was the occasion for a variety of national actors to understand the role and the mandate of the institution as well as of the UN Subcommittee on Prevention of Torture (SPT). The SPT, which visited Senegal soon after the workshop, focused on providing assistance and support to the NPM.

In **Mauritius**, a new law establishing an NPM division within the National Human Rights Commission entered into force in July 2012. The Commission was designated as NPM during the SPT visit in October 2007, but the law to reform its mandate has been pending for several years. This has created confusion and practical challenges to the work of the NPM, hopefully solved by a proper implementation of the new law.

Johannesburg Declaration: the path ahead

Ten years after the adoption of the **Robben Island Guidelines** the African Commission on Human and Peoples Rights has stated its determination to take steps to strengthen prevention

- ✓ *Uganda anti-torture law approved*
- ✓ *Senegal NPM appointed*
- ✓ *RIG+10: New prevention roadmap for Africa*

at the national level. On the occasion of the 10th anniversary, the African Commission in cooperation with the APT, the South Africa Human Rights Commission and the Office of the High Commissioner on Human Rights, organised an expert meeting in Johannesburg to take stock and build on achievements in

view of supporting national initiatives to prevent torture. The meeting concluded that national actors are the driving force behind any successful implementation of the Guidelines, but that the impact would be much more important if the Committee for the Prevention of Torture in Africa could provide more strategic support on national legislation and policies on the criminalisation of torture as well as on monitoring places of detention.

The outcome of the discussions, the "Johannesburg Declaration", outlines the path ahead for enhancing the implementation of torture prevention norms and standards in African countries.

Anti-torture legislation

In **Uganda**, a new law which defines and criminalises torture, and which the APT helped draft, was passed by Parliament in April and entered into force in September 2012. This was the result of an exceptional cooperation between



ACHPR Chair Catherine Dupe Atoki at the RIG+10 Seminar in South Africa

PREVENTION IN THE MEDIA

“The Commission is grateful to the APT for its immense effort while we struggled to have the Torture Bill passed. It has been a long journey.”

M S Kaggwa, Uganda Human Rights Commission

parliamentarians, the Uganda Human Rights Commission and civil society organisations. Eleven African States have now criminalised torture.

The anti-torture bill in **South Africa** was tabled in Parliament in May 2012 and voted by the first Chamber in November 2012. The UN Universal Period Review process contributed to this achievement, with several States urging South Africa to adopt the Bill and to ratify the Optional Protocol to the UN Convention against Torture (OPCAT). During the review a foreword from President Zuma was made public where he promised an imminent OPCAT ratification, but it has not yet been followed by any concrete action.

As a result of the longstanding cooperation with the Malagasy authorities, the APT has drafted a guide on the interpretation and implementation of the UN Convention against Torture and the national anti-torture law in **Madagascar** (to be launched in 2013). The guide provides national actors with a useful and accessible tool for understanding the two major instruments for prevention of torture.

Start of project with Africa network

October 2012 was the official start of the joint project between the APT and the **Network of African National Human Rights Institutions**. The three-year project aims at reinforcing the role and capacity of African NHRIs on the prevention of torture. The project will develop a common space where good practices can be maximised and have a multiplier effect, through peer-to-peer exchanges within the network.

The project builds on the increasing commitment of NHRIs to act as national leaders in the prevention of torture. This was confirmed during the 4th Congress of the Association of francophone NHRIs which focused on human rights in places of deprivation of liberty and to which the APT was invited as an expert organisation.



Detention Monitoring Programme

Acceptance of the idea that transparency in places of detention is needed to prevent torture and ill-treatment has grown. The number of actors directly involved in this type of prevention work has followed the same encouraging curve. However, they all face serious operational challenges. The APT has therefore continued to accompany and train actors of prevention.

National Preventive Mechanisms have emerged as a broad community of practitioners and the APT has tried to respond to the multiplicity of their needs. Some countries already have well-functioning and sophisticated NPMs, while in others emerging NPMs are expressing pressing demands for capacity-strengthening activities, notably regarding the methodology of detention visits. We have tried to meet this variety of needs in a flexible and sometimes multilateral way.

Those engaged in torture prevention face many challenges. The high number of types of places of detention – prisons, police stations, immigration centres, psychiatric hospitals, etc. – and the specific risks related to each form of custody create a broad spectrum of people in situation of particular vulnerability. Well aware of this reality, the APT has promoted a comprehensive coverage of places of detention and is developing expertise in relation to groups who may be especially exposed to risks.

Visibility to migrants in detention

APT's Detention Monitoring Programme has developed a particular focus on migrants deprived of their liberty. Within the framework

“I realize how much the detainees respect us, as if we were their voice, or a guarantee that their rights will be respected.”

Isabel Mansur, Torture prevention mechanism of Rio de Janeiro

of the European NPM Project (which formally came to an end mid-2012), the APT participated in seminars to discuss sensitive issues such as the deportation of irregular migrants and its monitoring, or the role of Frontex (the European

Agency managing external borders of the European Union), NPMs and other actors with regards to the detention of migrants. The APT has also initiated a partnership with the UN High Commissioner for Refugees and International Detention Coalition in order to produce a practical manual aimed at all practitioners monitoring the situation of migrants deprived of their liberty.

Parliamentarians potentially have a key role to play in preventing torture. The APT has therefore developed guidelines aimed at encouraging members of the Council of Europe's Parliament to visit detention centres and have a first-



Visiting exercise of the Honduras state penitentiary during an APT detention monitoring workshop in November 2012

PREVENTION IN THE MEDIA

hand impression of migrants' situation. The guidelines, a request of the Council of Europe, were used during a first workshop, which included a visit to an immigration centre. This will be followed by similar workshops in 2013.

Specific risks in police custody

In 2012 the APT has also paid particular attention to persons in police custody, and has worked on a practical guide for monitors (publication in 2013), which addresses the main issues, risks and standards related to detention by the police.

Similarly, the APT has given emphasis to mental health in detention, by contributing to the SPT's general discussion on this issue during its February session and by participating in a visit to a high-security hospital with the Care Quality Commission, one of the bodies of the UK NPM.

Exchanges among peers

The APT has continued its regular work with key prevention actors, in particular with NPMs. This collaboration has included detention monitoring workshops with the **Austrian** NPM and with the local mechanisms of Chaco in **Argentina** and Río in **Brazil**. With the idea of supporting the creation of a community of practitioners, the APT has facilitated the establishment of ties between the NPMs of **Costa Rica** and **Honduras** by organising

- ✓ *Guidelines and Briefings on: forced expulsions, role of parliamentarians regarding immigration monitoring*
- ✓ *10 trainings on detention monitoring*

an exchange of experience between the two mechanisms in Tegucigalpa, Honduras. This exchange is to be followed by a similar workshop in San José, Costa Rica, in 2013.

In the same spirit of fostering the sharing of experiences, the APT has contributed to various regional fora by bringing its expertise in detention monitoring, in countries like **Ukraine** (with Penal Reform International), **Lebanon** (together with Dignity and Restart) and **Morocco** (during the Congress of the Association of francophone NHRIs).



Esteban Vargas from Costa Rica NPM talking to a detainee

Photo: Jérôme Bourquin



UN & Legal Programme

In 2012, the APT intensified its engagement at the United Nations, advocating for stronger international standards and for implementation of existing standards at the national level.

Our legal work focused on two thematic priorities: creating practical, concrete tools on how to draft comprehensive anti-torture laws, and strengthening the prohibition of confessions obtained through torture.

Making torture a crime

The UN Convention against Torture with its 153 States parties is still far from being universally ratified and the APT is advocating for increased ratification, in particular by Small Island States. The Universal Periodic Review at the Human Rights Council - where the human rights situation in each and every State is discussed - constitutes an important opportunity for advocacy. Four new States joined the treaty in 2012 (**Dominican Republic, Lao, Nauru, United Arab Emirates**).

One of the main obligations under the Convention against Torture is to make torture a specific offense in the criminal justice system. Several

countries made progress on adopting anti-torture laws this year. In September, **Uganda** adopted the Prevention and Prohibition of Torture Act – a law with several innovative features. APT worked with partners in Uganda for more than four years on this law. We also contributed to legislative efforts in **Lebanon, South Africa and Zimbabwe**.

Our partners often ask for examples of good anti-torture laws. The APT therefore launched a new project to promote good practices and present concrete and practical guidance on how

- ✓ Torture law meeting: exchange of national experience of anti-torture laws
- ✓ Committee against Torture General comment on remedies: APT advice on prevention taken up in new legal standards

to draft anti-torture laws that fully implement the UN Convention against Torture. In November the APT invited 21 national experts, including ministry officials, lawyers, prosecutors, members of civil society and UN experts, to discuss experiences and best practices on anti-torture laws. As a follow-up, we will

develop an anti-torture legislation tool box.

Another important obligation of the Convention against Torture is to exclude any evidence obtained through torture in criminal proceedings. In July, the APT organised training for judges,



International participants at the Torture law meeting in November 2012 at the Centre Jean-Jacques Gautier

PREVENTION IN THE MEDIA

“We have not yet achieved a world free from torture, but we believe that this goal is achievable, that rights and duties need to be taken seriously, and that supervisory organs with independent experts are an essential component to achieving that goal.”

Claudio Grossman, Chair of the CAT

prosecutors, and lawyers in **Nepal** on this subject and, during the year, we also developed materials and a training syllabus for key actors concerning forced confessions.

The implementation of the Convention against Torture is reviewed by the UN Committee against Torture (CAT), that meets in Geneva. The APT supported the participation of civil society in the work of the CAT by co-organising workshops on alternative reporting for Thai civil society and by participating in joint NGO webcasting of the Committee's sessions.

Promoting a stronger legal framework

In November, the CAT clarified that redress for victims of torture and other ill-treatment includes effective remedy and reparation, when it issued a progressive new general comment on how to interpret the Convention. The APT contributed to the process and was pleased that the final draft emphasised the relationship between prevention

and reparation as well as the role of independent visits to places of deprivation of liberty in preventing abuses from recurring.

In December, the UN General Assembly adopted by consensus its annual resolution on torture and other ill-treatment in which it condemns torture and calls upon States to take action. The APT provided advice on the drafting.

The APT also engaged in several other on-going reform processes.

- **Treaty body reform:** The process towards strengthening the treaty bodies shifted to the UN in New York with the establishment of the Intergovernmental Working Group. In its advocacy, the APT highlighted the importance of independence of members of treaty bodies and the unique character of the Subcommittee on Prevention of Torture. The APT remains cautious of proposals which might undermine the working practices of the treaty bodies.
- **Standard Minimum Rules on the Treatment of Prisoners:** The possibility to revise the 1955 Rules has been discussed furthered during 2012. The APT monitored the process, and submitted papers to the UNODC Crime Commission in Vienna, encouraging States to already take practical steps towards full implementation of the historic standards.
- **Legal and procedural safeguards:** APT advocated for stronger legal protections for suspects and defendants to be included in the proposed EU Directive on the right of access to a lawyer and to communicate on arrest.

Novel effort to prevent torture reaches milestone

From Benin to Sweden, Mexico to Cambodia, the human rights and dignity of detainees are better protected thanks to a ground-breaking mechanism focused on sustained actions to prevent torture and ill treatment.



The Optional Protocol to the Convention (OPCAT) is unique among international agreements. Not only does it set up 2 independent experts – the Subcommittee on Prevention of Torture, who can visit countries to assess detention unhindered, but it also requires States to establish equivalent bodies at the national level.

Free from government control, these facilities to verify that the treatment of detainees complies with international standards. In particular, they are not subjected to torture or other cruel, inhuman or degrading treatment or punishment. As OPCAT prevents these crimes in the first place, it not only examines conditions of prisons, police stations and mental health facilities, but also considers the laws, judicial and administrative practices – or the lack thereof – that apply to the deprivation of their liberty.

“Torture and ill treatment are not the preserve of dictatorship or democratic countries,” said Gérard Araud, the Permanent Representative of France to the United Nations, at a recent event to mark the tenth anniversary of OPCAT. “If we do not exercise constant vigilance, prison conditions will deteriorate.”

The role of independent and fully functioning national preventive mechanisms (NPMs) that could lead to a risk or actual torture, said Jean-Marie Delarue who, as General Secretary of the International Committee of the Red Cross, heads one such body.

Since its adoption, OPCAT has become a key instrument for the international community to eradicate torture – UN experts



Chairman of the UN Committee against Torture Claudio Grossman, UN Photo/Chris Wedel

23 October 2012 – While an impressive international legal framework has been developed to prevent torture and other types of inhuman treatment or punishment, there are still too many gaps where the promise of the Convention is not fully realised. Experts are an essential component to achieving that goal. Claudio Grossman, Chair of the UN Committee against Torture, said during the presentation of the Committee's annual report.

The Committee against Torture is a UN body composed of 10 independent experts tasked with preventing torture and monitoring its implementation. It is the only international body that can make recommendations to States party to the Convention against Torture.

Cabinet approves anti-torture bill in effort to discourage institutional abuse of force

A bill for strengthening public administration to prevent abuse of force and violence in the South African Constitutional Bench for the prevention of torture.

At a session convened and moderated by the Chair of the Subcommittee on Prevention of Torture, Claudio Grossman, Chair of the UN Committee against Torture, said during the presentation of the Committee's annual report.

The Committee against Torture is a UN body composed of 10 independent experts tasked with preventing torture and monitoring its implementation. It is the only international body that can make recommendations to States party to the Convention against Torture.

Sweden passed that there remained a culture of impunity in all 2012 reports which the state of individual cases were covered.

Prisons Rethink Isolation, Saving Money, Lives and Sanity



CHANGED ATTITUDES Christopher D. Epps, Mississippi commissioner of corrections, said he used to believe that “if you lock someone up, they will stop doing bad.”

Miss. – The heat was suffocating, and the inmates in Unit 32, the state's super-maximum-security prison, were sweating as they lay on concrete slab beds.

Kept in solitary confinement for up to 23 hours each day, allowed out only in shackles and escorted by guards, they were restless and angry – made worse by the insect-infested food trays and the mentally ill inmates who screamed in the night, conditions that a judge had already ruled unacceptable.

So it was not really surprising when violence erupted in 2007: an inmate stabbed to death with a homemade knife; in June, a suicide; in July, another stabbing; in August, a prisoner killed by a member of a rival gang.

What was surprising was what happened next. Instead of tightening restrictions further, prison officials loosened them.

allowed more...

On the occasion of the tenth anniversary of the adoption of the Optional Protocol to the United Nations Convention against Torture

The Permanent Mission of France to the United Nations and the Association for the Prevention of Torture

OPCAT + 10: making a difference in torture prevention

Thursday, 10 May 2012, 11:00am – 1:00pm Conference Room 7, North Lawn Building, New York

Chairman of the UN Committee against Torture Claudio Grossman, UN Photo/Chris Wedel

Human rights day 2012: Be sure to check your work home: some of the best work is done at home.

Human rights day 2012: Be sure to check your work home: some of the best work is done at home.

OPCAT Programme

How to build on the momentum created by the first global forum on the OPCAT in 2011, an unprecedented gathering of torture prevention actors? How to strengthen the global movement that emerged during the Forum? How can the APT better respond to the growing needs of National Preventive Mechanisms (NPMs) around the world? In 2012, the APT strove to respond



Celebrating OPCAT+10 at the UN in New York

and act upon these key questions.

The APT published and disseminated the Outcome Report of the discussions held during the Forum in a wide range of languages. The report highlights suggested ways forward and ideas for actions for different stakeholders, some of which have been promptly implemented. For instance, certain NPM representatives had never met NPMs from other countries before. The Forum revealed the importance of exchanges and as a result an informal network of NPMs in the Balkans' region started to emerge and peer-to-peer exchange of experiences between NPMs was initiated in the Americas region. The Forum participants also encouraged the Subcommittee on Prevention of Torture to strengthen its engagement with NPMs during in-country visits. In 2012 the SPT responded by introducing a new kind of visits, called "NPM advisory visits" – shorter visits focusing only on the developments of the NPM.

Growing interest in the OPCAT

The OPCAT continued to attract attention from States in 2012: four new countries became States Parties to the treaty (**Austria, Hungary, Mauritania** and the **Philippines**) and one country signed it (**Chad**). The main progresses took place at the domestic level; since the Global Forum,

- ✓ 4 new OPCAT ratifications
- ✓ 1 new OPCAT signature
- ✓ 9 new NPMs
- ✓ New OPCAT Database: 300 unique visitors per month

nine new States have taken action to designate their National Preventive Mechanisms and there are now (as of January 2013) 46 designated NPMs.

2012 also marked the 10th anniversary of the adoption of the OPCAT by the General Assembly of the United Nations. To celebrate this milestone, the APT invited the SPT Chairperson and the French National Preventive

Mechanism to share their views and results of their work with the States Representatives present in New York. This gathering was facilitated by the French Permanent Mission to the United Nations in New York.

“Torture and ill treatment are not the preserve of dictatorships. They also threaten democratic countries. If we do not exercise constant vigilance, prison conditions can undermine human dignity.”

Gérard Araud, Permanent Representative of France to the UN in his opening remarks to the APT “OPCAT+10” event in New York

The "third pillar" of the OPCAT – the OPCAT Special Fund – started officially to operate in 2012. The Special Fund released its first call for proposals to help implement recommendations made by the SPT during its country visits.

PREVENTION IN THE MEDIA

Tailored and practical advice to NPMs

The OPCAT Global Forum shed light on several practical challenges that NPMs face, including implementation of recommendations, independent expertise, selection of appropriate staff and members, relationships with non-traditional human rights actors etc. In 2012, the APT therefore systematised its support to NPMs and published more analytical and shorter papers on OPCAT implementation.

NPMs had also asked for guidance from expert organisations on how to address specific rights problems related to detention. The APT developed a joint project with Penal Reform International to devise an analytical and operational framework to accompany NPM developments. The results of this project will be published in 2013.

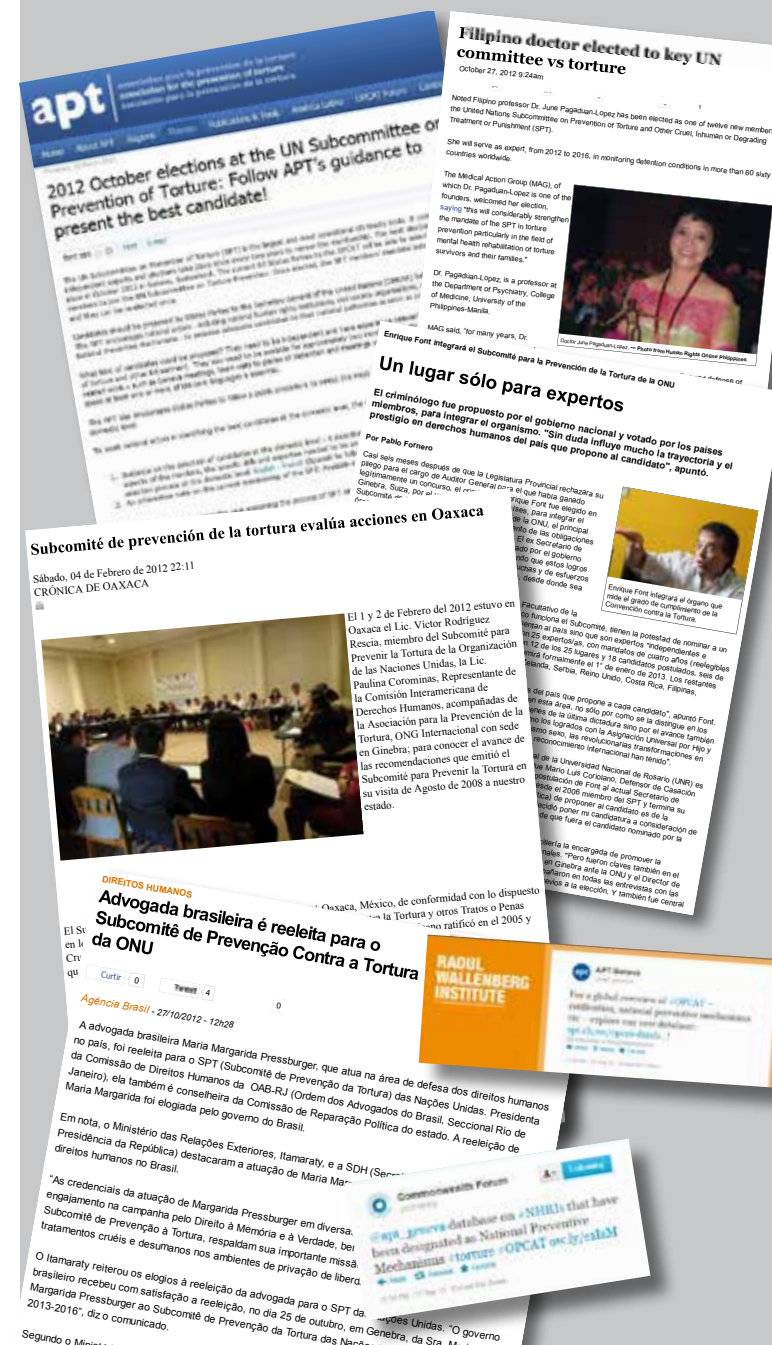
Continued support to the SPT

Every two years, the composition of the Subcommittee on Prevention of Torture is renewed and elections are held to fill the vacant seats. With its 25 members, the SPT is the largest treaty body within the United Nations. In the latest elections, held on 25 October 2012, 19 experts from different regions and fields of expertise



The new OPCAT Database is the most comprehensive and updated source of information on the OPCAT. In 2012 the APT launched an updated version of this tool, with extended possibilities to compare, for example, NPM related information across countries and regions.

had been nominated for the 12 available seats. Half of the seats were filled by new candidates, the rest were re-elected. To assist States Parties in selecting good candidates at the domestic level and then to elect qualified members, the APT published two papers with guidance for State Parties regarding the elections. The APT is delighted to see an increased balance in skills and regional representation within the SPT, which will strengthen the treaty body.



Financial situation in 2012

Value for the money and cost-efficiency continued to be the core principles of APT financial management in 2012. The continued and measured growth in the organisational budget was a reflection of the global consolidation policy designed by the APT Board.

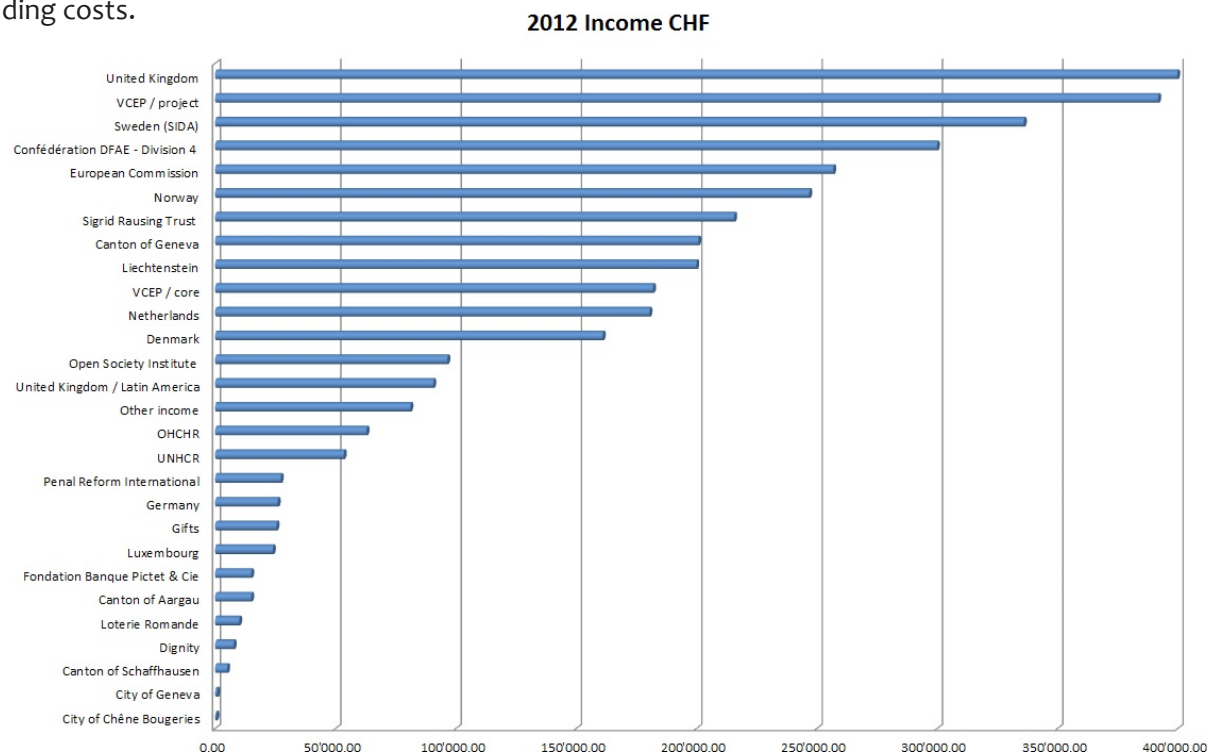
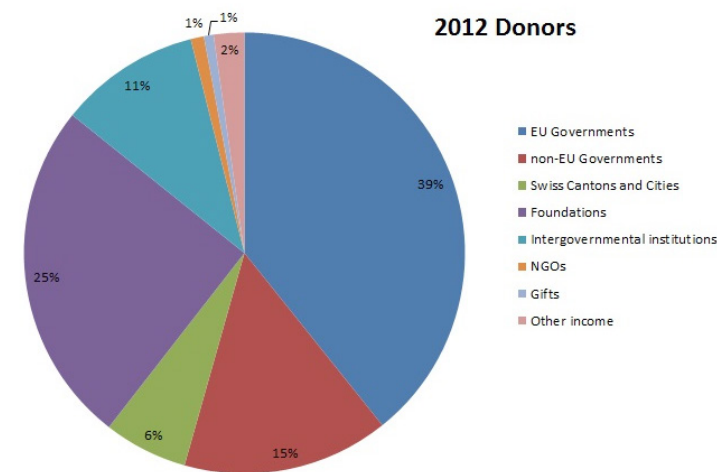
Throughout the year, we persisted in the process to implement the Swiss GAAP RPC accountability and transparency procedures, particularly the rules that are applicable to non-profit organisations. The end result is a presentation of our accounts which is more transparent, and which provides suitable information to our project donors. The process entailed substantial changes and improvements in the APT's accounting system, and we are proud to present the APT 2012 accounts in full compliance with the RPC.¹ This enhanced accounting and reporting system will enable an APT application to the ZEWO Swiss quality certification in 2013.

Other highlights of the financial year 2012 included:

- New fundraising strategy started to demonstrate first results with new donors based in Switzerland willing to invest in torture prevention projects. These included the Canton of Aargau and the Canton of Schaffhausen, *Pictet Fondation* as well as sustained support from Geneva based donors. This new funding trend is shown in the attached charts.

¹ The full version of APT's financial statements can be downloaded from the APT website www.apr.ch

- APT is now viewed as the reference INGO on torture prevention. This is also reflected through our quality partnerships with fellow national NGOs involved in the fight against torture, as well as international NGOs. In 2012, two international NGOs (*Penal Reform International* and *Dignity*) have contracted APT to contribute to their torture prevention projects, with payments for our services.
- Finally, in line with the practice established in 2010 and 2011, the accounts related to the construction of the *Centre Jean Jacques Gautier* were separated from the APT regular operations, and no part of the project or core funding received by APT was used to incur building costs.



Operating accounts 2012*

Income 2012				CHF
I Governments (local & national)		4 NGOs		
Germany**	25'995	RCT/Dignity		7'740
Canton Aargau	15'000	Penal Reform International		27'300
Canton of Geneva	200'792			35'040
Canton of Schaffhausen	5'000	5 Private donors		
City of Chêne-Bougeries	500	Subscriptions		6'365
Confédération DFAE - Division 4	300'000	Gifts		19'145
Denmark**	161'078			25'510
Liechtenstein**	200'000	6 Other income		
Luxembourg**	24'000	Sale of publications		6'022
Norway**	246'914	Insurance compensation		36'646
Netherlands**	180'497	Interests		451
United Kingdom**	490'504	Fees		10'116
Sweden - Sida	336'075	Other income		27'880
City of Geneva	913			81'114
	2'187'268			
2 Foundations				
VCEP	573'914			
Fondation Banque Pictet & Cie	15'000			
Open Society Institute	96'499			
Sigrid Rausing Trust	215'696			
Loterie Romande	10'000			
	911'109			
3 Intergovernmental institutions				
European Commission	256'866	Total Income		3'613'304
UN High Commissioner for Refugees - UNHCR	53'460			
UN Office of the High Commissioner for Human Rights - OHCHR	62'938			
	373'264			

Expenditure 2012		CHF
I Operations		
Capacity strengthening & advice		234'771
Travel costs		269'924
Accommodation costs		52'651
Salaries operations		1'108'216
Social charges		179'474
		1'845'037
2 Communication & Outreach		
Publication costs		140'447
Salaries communication & outreach		351'353
Social charges communication & outreach		53'122
		544'922
3 Management & Secretariat		
Salaries management & secretariat		329'553
Social charges		56'748
Secretariat costs		120'657
IT - Hardware, Software, database		10'072
Personnel costs		10'409
Office move & rental		87'025
Auditing and legal services		30'400
Banking fees		4'548
Exchange rate difference		4'936
		654'349
4 Policy & strategy		
Meeting and reception costs		9'892
Bureau, Board & GA meetings		29'799
5 year OPCAT event		8'336
		48'026
Total Expenditure		3'092'335
Result before assignments for ongoing projects		520'969
Exceeding income for ongoing projects		-538'314
ORDINARY RESULT		-17'345
Depreciation of fixed assets		75'159
NET END OF YEAR RESULT		-92'505

* as in annual audited accounts ** Ministries of Foreign Affairs

Balance Sheet 2012*

	31/12/2012		31/12/2012
Assets	CHF	Liabilities & Wealth	CHF
Current assets		Short term liabilities	
Cash and bank accounts		Income received in advance	187'292
Bank and cash at disposal	703'907	Liabilities Centre Jean-Jacques Gautier	338'577
Cash Fonds Pro Victimis	199'992	Other liabilities	205'410
Cash Centre Jean-Jacques Gautier	9'372		731'280
	913'270	Long term liabilities	
Receivable income	111'544	Fonds Pro Victimis	200'000
Other current assets	3'530	Total liabilities	931'280
Accruals	25'997	Earmarked funds	
	141'071	Funds earmarked to ongoing projects	538'314
Total current assets	1'054'341	Wealth	
Fixed assets		Reserve Fund Centre JJG	3'092'727
Centre Jean-Jacques Gautier	3'141'851	Results of FY investments	-75'159
Office material	41'924	Result assignment on 1 st January	-34'549
Furniture	144'788	Wealth from the dissolution of reserves	90'000
IT hard & software	142'363	End of year result	-17'345
Total fixed assets	3'470'926	Total Wealth	3'055'674
Total Assets	4'525'267	Total Liabilities & Wealth	4'525'267

APT staff in 2012

Mr Mark Thomson, Secretary General
 Ms Barbara Bernath, Chief of Operations
 Mr Adrian Moore, Web & IT
 Ms Anja Härtwig, Publications
 Ms Anna Rottenecker, Fundraising
 Ms Audrey Olivier Muralt, OPCAT Programme
 Ms Catherine Felder, Administration
 Ms Esther Schaufelberger, Middle East & North Africa Programme
 Ms Ilaria Paolazzi, Africa Programme
 Ms Isabelle Heyer Frigo, Americas Programme
 Mr Jean-Baptiste Niyizurugero, Africa Programme
 Mr Jean-Sébastien Blanc, Detention Monitoring Programme
 Ms Marcellene Hearn, UN & Legal Programme
 Ms Maria-José Urgel, Regional Office for Latin America
 Mr Matthew Pringle, Europe & Central Asia Programme
 Mr Matthew Sands, UN & Legal Programme
 Ms Paola González, Regional Office for Latin America
 Ms Rebecca Minty, Asia-Pacific Programme
 Ms Rosita Ericsson, Communications
 Ms Sylvia Diniz Dias, Regional Office for Latin America
 Ms Sylvie Pittet, Administration
 Ms Tanya Norton, Detention Monitoring Programme
 Mr Vincent Ploton, Fundraising
 Ms Amanda Dissel, National delegate South Africa
 Ms Patriani (Mita) Mulia, National delegate Indonesia



Photos: Helen Putzman Penet

standing from left to right: Rosita Ericsson, Adrian Moore, Jean-Sébastien Blanc, Matthew Pringle, Anja Härtwig, Matthew Sands, Jean-Baptiste Niyizurugero, Vincent Ploton, Marcellene Hearn, Claire Marty, Aline Irakarama
sitting from left to right: Anna Rottenecker, Rebecca Minty, Sylvia Diaz, Audrey Olivier Muralt, Barbara Bernath, Catherine Felder, Mark Thomson, Esther Schaufelberger, Isabelle Heyer Frigo, Maria-José Urgel

Consultants

Damien Scalia, Hani Abdelwahib, Jem Stevens, Tanya Kolker

Interns & temporary staff

Aline Irakarama, Augusto Lavieri, Camilla Tiraboschi, Claire Marty, Denise Welch, Edouard Delaplace, Emilie Linder, Juan Camilo Pinzón, Lucia Giavitto, Nathalie Gillieron



not in the picture:
 Ilaria Paolazzi, Paola González, Sylvie Pittet, Tanya Norton

Board & Advisory Council in 2012

(elected for 3-year periods by the General Assembly)

President

Ms Martine Brunschwig Graf, Switzerland

Vice-President and Treasurer

Mr Renaud Gautier, Switzerland

Board Members

Mr Daniel Dufour, Switzerland

Mr José de Jesus Filho, Brazil

Mr Krassimir Kanev, Bulgaria

Mr Michael Kellet, UK

Mr Jacques Lederrey, Switzerland

Ms Jehaan Mahmood, Maldives

Ms Ottavia Maurice, Switzerland / Italy

Ms Susan McCrory, UK

Mr Manfred Nowak, Austria

Ms Julienne Ondziel-Gnelenga, Republic of Congo

Ms Monica Pinto, Argentina

Ms Mervat Rishmawi, Palestine

Mr Christian-Nils Robert, Switzerland

Ms Erika Schläppi, Switzerland

Ms Susanne Soukoudé, Togo

Mr Walter Suntinger, Austria

Honorary Member

Ms Catherine Gautier, Switzerland

Advisory Council

Ms Maggie Beirne, Ireland / UK

Ms Silvia Casale, UK

Mr Malcolm Evans, UK

Ms Hannah Forster, Gambia

Mr Nejib Hosni, Tunisia

Mr Marco Mona, Switzerland

Mr Bacre Waly N'Diaye, Senegal

Ms Maggie Nicholson, UK

Mr Erik Prokosch, USA

Mr Jean-Pierre Restellini, Switzerland

Ms Paz Rojas, Chile



At the APT's November Board meeting at Centre Jean-Jacques Gautier
(Michael Kellet, Edouard Delaplace, Daniel Dufour, Susan McCrory, Manfred Nowak, Erika Schläppi)

Thanks

The APT is grateful to the following donors for their generous support in 2012:

Governments

Canton of Aargau, Denmark, Canton of Geneva, City of Geneva, Germany, Liechtenstein, Luxembourg, Netherlands, Norway, Canton of Schaffhausen, Spain, Sweden, Switzerland, United Kingdom

Note: The APT is eligible to receive Official Development Aid as per the OECD principles.

Intergovernmental Organisations, Foundations and other Institutions

Europaid (EIDHR)
Fondation Pictet
Loterie Romande
Office of the UN High Commissioner for Human Rights
OPCAT Special Fund
Open Society Foundation
Sigrid Rausing Trust
UN High Commissioner for Refugees

Non-governmental organisations

Penal Reform International
Dignity (RCT)

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.

Communication

The APT communicates with a variety of actors – from policy makers and governments to civil society groups, journalists and students. Above all, we support those who are directly engaged professionally in torture prevention work in their countries and regions with information, resources and tools.

In 2011 we did a thorough review of our external communication, including an online survey. Based on the results we developed a communication strategy, with the aim to better serve the needs and expectations of our partners but also to raise the profile of the organisation and to broaden the support for torture prevention.

Some of the changes have been highly visible in 2012:

- a new logo and a stronger visual profile,
- a new website,
- a regular e-bulletin in three languages,
- new information products and
- an active participation in social media.

However, there has also been an important shift of mind-set, with a growing recognition that the APT has a role to play, not only in supporting our partners with practical tools and advice, but also in actively promoting a *culture of prevention*. This means that we also need to reach out to non-specialist audiences, better explain what prevention means in relation to torture and other ill-treatment, and proactively participate in current debates of relevance to our mandate. In short: we realise that communication has a

central role in the work of the APT and in the achievement of our strategic objectives.

The new visual identity aims to give the APT a consistent, recognisable style. The circle shape of the logo represents the globe in the earlier version of the logo and a dot puts an exclamation mark on the word “prevention”.

The **website** is APT’s most important communication channel and in 2012 it went through a complete re-design. The new website, launched in September, has been designed to better present our work, thematically and in the regions, but above all to make APT’s knowledge, tools and services accessible to a wider human rights community. The online **OPCAT database** has been further developed and given a more prominent position, with a user-friendly appearance and new possibilities to compare OPCAT related information across countries. The website, available in English and French, integrates our social media activities, such as video, Twitter feed and the new APT blog.



From midnight to the morning light



The APT blog, launched on the 10th anniversary of OPCAT's adoption, offers a collaborative space for our staff to share their insights, perspectives and personal reflections on torture prevention. In this first ever blog post, APT's Secretary General reflected on the lessons learnt from the successful ratification campaign for the Optional Protocol to the UN Convention against Torture and on what could be achieved over the next ten years:

Ten years ago to the day the long-awaited call from New York must have come in around midnight. "It's just been adopted, 127 votes in favour, 4 against and 42 abstentions!"

What an enormous relief. After twenty five years of hard work by NGOs and some committed diplomats, the majority of members of the United Nations had finally agreed to approve the Optional Protocol to the UN Convention against Torture (OPCAT), and thus set up a new system of preventing torture through regular monitoring of all places of detention.

Ten years later 65 States have ratified the OPCAT, another 21 have signed and 46 National Prevention Mechanisms (NPMs) are established. A UN Committee of 25 experts (SPT) works with NPMs and States Parties to implement the Protocol.

When we convened a Global Forum on the OPCAT last year to take stock of where we were and where we needed to go, it was clear as morning light to all 300 plus participants that in practice

effective NPMs are the key for the OPCAT to make a real difference in preventing torture and other ill-treatment.

How do we achieve that as well as ensure increased ratification of the OPCAT? I believe we have to learn from the achievement of getting the OPCAT ratified ten years ago. At the time, eleven of the world's leading international human rights NGOs worked together for the whole of 2002 in close cooperation with some very committed States. Together they succeed in a convincing States to support the text, which had been presented by the Chairperson of the drafting group as the best achievable compromise without undermining the original proposal.

We now need a new international campaign that I believe can achieve much more, namely the universal ratification of the UN Convention against Torture (UNCAT), the OPCAT and their effective application.

Why do I believe that this is feasible over the next ten years?

First of all, over the last decade the world has been exposed to the fact that the risk of torture and ill-treatment exists in all countries. Any one that denies that is fooling themselves and their fellow citizens. What's can't be denied is that actions can be taken to reduce those risks.

Secondly, the UN human rights bodies and mechanisms have evolved over the last decade to shine the light of implementation of international human rights norms on every country, without

any exception. One of the most regular recommendations made by States to fellow States in the Universal Periodic Review has been to ratify and implement the two anti-torture treaties.

Thirdly, the human rights movement has developed in two promising directions with the strengthening of National Human Rights NHRIs and NGOs along with the UN Office of the High Commissioner for Human Rights, almost all of whom have taken an active interest in combating torture.

Fourthly, traditional and social media have brought the shocking truth of what happens in places of detention out into the light of day, which is provoking the very necessary public debates on penal policies.

Finally, regional Human Rights mechanisms have given more importance to the challenge and are contributing to bringing the responsibility of this matter back to where it belongs: with States authorities.

However, States usually need to be pushed into taking action, either by politicians, the media or by civil society. Hence the need for a major new concerted global action that will require a much broader variety of actors to join forces to obtain a truly universal commitment to eradicate torture and other ill-treatment.

We at the APT will do all we can but what are you going to do to achieve that objective?

Mark Thomson
18 December 2012

Centre Jean-Jacques Gautier



Photo: Lucien Fortunati

The APT would like to thank the following people and institutions for their donations which enabled the construction of our new offices:

Donations above 300'000 CHF:

- Fondation Hans Wilsdorf
- Mme Jean-Jacques Gautier
- Mme Martita Jöhr - legs
- Artists against torture

Donations between 15'000 CHF and 100'000 CHF:

- Loterie Romande
- Charpente Concept – GM Architectes

Donations below 5'000 CHF:

- Individual supporters

Donations to the APT:

Swiss Post Office Account:

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

UBS Bank Account:

UBS SA

Case postale

CH-1211 Geneva 2, Switzerland

APT account number: 279-C8117533.0

IBAN: CH62 0027 9279 C811 7533 0

BIC: UBSWCHZH80A

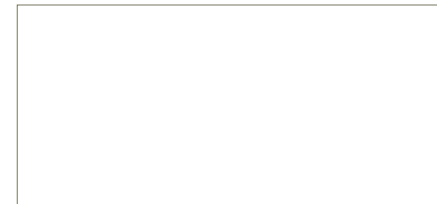
For more information on how to support the
APT: www.apt.ch/support

Photos: APT, if not stated otherwise.

Frontcover: © Delmi Alvarez

Lay-out: Anja Härtwig, APT

Print: Villi(R)





association for
the prevention
of torture

APT International Secretariat

Centre Jean-Jacques Gautier

Route de Ferney 10
P.O. Box 137, CH - 1211 Geneva 19
Switzerland

Tel: + 41 22 919 21 70

Fax: + 41 22 919 21 80

Regional Office for Latin America

Ciudad del Saber, Edificio 137 A
Clayton, Ancón
Ciudad de Panamá
Republica de Panamá

Tel: +507 317 10 21, +507 317 11 06

Fax: +507 307 14 79

e-mail: apt@apt.ch

Website: www.apt.ch