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OMCT receives the "Fondation pour Genève" prize, February 2004

Speech by OMCT's President

"Ladies, Gentlemen, and dear friends,

Just yesterday, I was in Nepal, where the raging civil war is very violent. Human rights are violated daily and the primary victims are the civilians. I returned haunted by the question: What can a Nepalese peasant do when rebels ask him to supply them with food, while pointing a gun at his head? Should he refuse, he will be killed. What can this same Nepalese peasant do, a little later, when the Royal army accuses him, with a gun to his head, of having fed and therefore supported those they call terrorists? He then faces torture, or even summary execution.

Once again I was able to see that these new types of conflicts, these internal wars, open the door to violations of fundamental rights: torture, rapes, disappearances, executions are the consequences of this. More than ever, organisations such as ours, yours, the authorities, must mobilise. Refuse the unacceptable. Refuse that the Nepalese peasant has no choice but to be killed. That is what I wanted to express here tonight, as a preamble; the link between what I have lived in the past few days and what unites us today.

The "Fondation pour Genève" has chosen to award its prize to the APT and OMCT, in memory of Jean-Jacques Gautier, and we are particularly pleased for two reasons. First because in these times of confusion, where the war against terrorism is used to justify torture, the fact that organisations fighting against this plague receive this award has a significant meaning. (...)

OMCT has been a pioneer in two particular fields: its programme on violence against women, a programme which is now recognised and addressed by the UN and its Committee against Torture. As for economic, social and cultural rights, the OMCT has opened this debate more than 10 years ago, attempting to analyse the root-causes of torture and to define the global strategies to address these causes as well as the effects of state violence. Two themes particularly receive OMCT's attention today. Firstly, human rights defenders. Those who fight to alert the international community on grave violations of fundamental rights increasingly become the targets of repression in many states. Their authorities, who not only fail to respect human rights, also wish to silence those who attempt to denounce these facts.

The present state of the world unfortunately brings us to another trend: the tendency to accept torture in the fight against terrorism. When a convention prohibiting torture was adopted twenty years ago, in 1984, it had the very clear objective of ranking torture among the gravest crimes human beings could commit against other human beings.

This convention explains what a civilised society expects from States, governments, police forces and judiciary systems: that they prohibit this crime, not only by law, but also and foremost, in reality. Not only during international conferences but also in the field.

This convention does not say: one should not torture, but in some cases... one should not torture, unless... there are circumstances... No! The convention says, and we say: one does not torture, one never tortures, one tortures no one, one tortures nowhere. Not in Geneva, nor in Guantanamo.

Yet, on September 11th, 2001, we entered together into a time of confusion, of exception to ethics, of the ends that justify the means. What we are fighting against, torture, terrorism, we see them practiced by forces, States, powers, who tell us they are fighting against them too, and who resign themselves to practice them in order to fight them. Even worse, some States ease their conscience by "contracting" other States to torture...

Indeed, there is fear, there is the right to security. This right is obvious, it is the right of each and everyone, it is a right provided for in the Human Rights Convention. However this right does not justify the arbitrary.

One does not torture a torturer, one does not torture a terrorist. Because by torturing a terrorist, we becomes what we claim to be fighting against."

Speech made by Theo Van Boven: Fondation pour Genève

"(...) The SOS-Torture Network is presently composed of more than 260 national, regional and international organisations, in 85 countries across the world. It operates as an urgent relief agency in favour of thousands of people who are, or risk being, victims of grave violations of the right to life and to their physical and psychological integrity. As someone who has been working for human rights for a long time and as the UN Special Rapporteur on Torture these past few years, I can bear witness to the extremely important role of OMCT and its SOS-Torture Network in assisting victims that find themselves in great danger. I am extremely delighted that the "Fondation pour Genève" has chosen OMCT as one of the two 2004 laureates. (...)

[As Special Rapporteur] Undertaking enquiry visits in several countries, sending urgent appeals to governments as preventive and humanitarian action, addressing governments in response to denunciations and raising the questions regarding the prevention of and fight against torture in my reports to United Nations organs, I greatly rely on the information and opinions provided by NGOs. They are partners because of their dedication, their professionalism and their credibility. However, to avoid any possible misunderstanding, it must be taken into account that the relationship between the Special Rapporteur and NGOs is of a mutually independent nature."

The OMCT network

The World Organisation Against Torture's (OMCT) structure and activities in favour of victims of human rights violations stem from its working relations with independent grass-roots human rights organisations in the field. Since its inception, OMCT has established a global network of expert human rights organisations. Through the rapid provision of information from the field, OMCT is able to take action at the international level, in order to complement their activities. It does this by disseminating their information on a daily basis to a global audience, including the individuals and institutions most capable of taking action in support of the victims of the abuses in question.

OMCT's International Secretariat's role is one of providing support to the members of the network. It enables them to make better use of the relevant regional and international human rights mechanisms, to render their work even more effective. Additionally, through the dissemination of information to its network, OMCT also permits the sharing of approaches and means of action of members in one part of the world with those in another, enabling a more cohesive and informed pursuit of the eradication of torture.

The members of the network are selected for their independence, professionalism and reliability. These organisations must also in no way be participants in or condone acts of violence.. The network, which at the end of 2003 comprised 266 organisations, contains many of the world's leading local human rights defenders dedicated to the fight against torture. The fact that they are based on the "front line" of the fight against torture and benefit from local knowledge and understanding of the situation, issues, and notably the needs of victims, makes these organisations central players in the struggle in favour of the improvement of the human rights situations in their countries. Their proximity to the violations, however, also means that they are risk themselves. OMCT has, therefore, paid particular attention to providing support and protection to these organisations and their members, as without their work, the voices of the victims would not be heard.

OMCT is structured so that its activities, and indeed the establishment of the programmes which comprise the organisation itself, result from the input and requirements of the members of its network. This "bottom-up" approach enables OMCT's activities to be a true reflection of the needs of a wide spectrum of members of global civil society, from a range of social and cultural backgrounds, and the tools that OMCT's various programmes provide to these actors are fine-tuned through consultation in order to enable a more effective and cooperative effort in favour of the rule of law and the upholding of human rights around the world.

The organisation holds a General Assembly every four years, in which the members of the network are involved in directing OMCT's strategic direction and highlighting future requirements. In addition, OMCT's Assembly of Delegates, which comprises some 25 experts, five from each of the world's regions, meets on an annual basis, to further this discussion. Each month the Executive Council, comprising eight Geneva-based persons from diverse cultural and geographical backgrounds, meets to steer the organisation's day-to-day work. Decisions concerning

modes of action at the tactical level are the fruit of daily contact with members of the network, enabling the organic and progressive development of OMCT's approach over time.

OMCT's network was established in 1986, and initially comprised 48 organisations. It has continued to grow since this time to its current size, including more and more organisations in countries with emergent civil societies, the members of which wished to join with other NGOs that are active in the field of human rights. The arrival of the internet and e-mail has further reinforced the benefits that working as a network can provide: information from the field now comes to OMCT's International Secretariat with little delay, enabling the organisation to act upon it with all speed. The speed at which the organisation is able to react is vital if it is to be able to assist victims of torture in an effective way. OMCT also strives to allow the members of its network to profit from technological developments, notably through the provision of training to local NGOs and even that of hardware.

A constant challenge for OMCT is the need to continually find ways of expanding its network to include new, reliable members, most notably in countries with serious human rights situations and/or nascent civil societies, in order to retain the vibrancy and relevance of its network as a whole. The aim is to have the network grow over time to include those organisations that are most active and effective in the fight against torture, and the ever-shifting landscape of grass-roots, national, regional and global civil society make this an arduous but essential task. The expansion of the network must also follow a coherent stra-

tegy – for example, the onus must be placed on securing new NGOs in countries where network coverage is limited, rather than accumulating an excess of NGOs in a particular country, in order to maximize the added value brought to the network by additional members. Similarly, the thematic diversity of NGOs (NGOs working, for example, on the issues of Women's Rights, Children's Rights, and Trade Unions) should also be taken into account concerning the expansion of the network. It is worth noting that OMCT has seen a steady expansion of diverse thematic NGOs over the years, as a result of successful campaigns conducted by its various thematic programmes.

OMCT's network is designed in order to provide rapid and effective action concerning situations in which time is often of the essence, and the inclusion of effective organisations is therefore at the root of its success. OMCT is one of prime sources of rapidly transmitted information concerning ongoing human rights violations for the United Nations, the African Commission on Human and People's Rights and the Inter-American Commission, thanks to its network.

Methods of intervention

In terms of organisational strategy, OMCT has, since its establishment, tasked itself with supporting the activities of organisations in the field, while avoiding substituting itself for them. Its role has been to supply to the members of its network the practical and conceptual tools and services that enable them to pursue their work in favour of the prohibition of torture, in fighting against the impunity of perpetrators of grave violations, in providing assistance to actual or potential victims of torture and the rehabilitation of the latter. The organisation's various programmes that have been set up over time, which address the situations of specific violations and categories of victims, follow this logical framework and are implemented through several methods of intervention.

The support that OMCT is able to provide to victims of torture comes in two forms: firstly, individual support is provided via urgent campaigns, letters to relevant authorities and press releases, as well as through the provision of emergency legal, medical and social assistance to direct or indirect victims of torture, and finally, through the submission of individual complaints for these victims to the relevant United Nations mechanisms. These interventions are made following requests and/or with the support of members of the SOS-Torture network. Interventions of this type form the basis of the network's collaborative activities with OMCT and are conducted using procedures that have been accepted by all of the network's members. Interventions that are made in favour of an organisation in, for example, Latin America, can come as a result of action or of support by groups in Africa, Asia or Europe, either in denouncing a violation or in providing assistance to a victim. This exemplifies the implementation of the organisation's global strategy in concrete terms.

The support to victims can also be more global or general in nature, notably via the submission of alternative reports to the United Nations' various mechanisms (including the treaty monitoring bodies), the participation of the organisation in meetings held by regional or international intergovernmental institutions, as well as the organisation of training seminars for members and non-members of the SOS-Torture network.

OMCT is involved in NGO capacity-building concerning the effective use of international procedures. For this type of activity, OMCT combines theoretical training seminars with practical work, such as the collaborative participation in the production of reports and other documents as well as in international meetings. All of these activities are held in order to enable member and non-member organisations to react autonomously and rapidly, without necessarily having to rely systematically on the services provided by the organisation's international secretariat.

Finally, OMCT is also a member of several international coalitions, notably through its programmes, in order to maximize the impact of the strategies that it pursues with its network. OMCT is a member of CINAT (Coalition of International NGOs Against Torture)¹ which comprises the main international NGOs engaged in the fight against torture; the Coalition for an Optional Protocol to the Covenant on Economic, Social and Cultural Rights² and the "International NGOs Committee for Human Rights in Trade and Investment" coalition (INCHRITI)³. OMCT is also a member of the NGO Group for the Convention on the Rights of the Child and the NGO Committee on the Status of Women. Concerning this latter group, the Violence Against Women programme manager is the coordinator of the Working Group on the Girl Child.

The diversity of the types of action used by the organisation in the fight against torture are testimony to the global approach that OMCT is developing. The promotion of gender equality and children's rights – two of the organisation's central preoccupations in recent years, as demonstrated by the establishment of the Children's Rights programme in 1991 and the Violence Against Women's programme in 1996 – constitute a common theme in all of the organisation's activities in its fight against torture. **S**ince January 2003, OMCT has hosted the secretariat of the Martin Ennals Award for Human Rights Defenders within its offices. OMCT also co-organised a reception with the Martin Ennals Award, which was held during the United Nations Commission on Human Rights, to honour its 2002 laureate, Mr. Alirio Uribe

Muñoz, who spoke about the situation of human rights defenders in Colombia during his acceptance speech. OMCT's Director was also invited to participate in a programme broadcast by Swiss television channel TSR (Télévision Suisse Romande) dedicated to the laureate, which also included the late High Commissioner on Human Rights Sergio Viera de Mello, Barbara Hendricks and Peter Ustinov.

1. CINAT comprises Amnesty International (AI), the Association for the Prevention of Torture (APT), the International Commission of Jurists (ICJ), the International Rehabilitation Council for Torture Victims (IRCT), the International Federation of Action by Christians for the abolition of torture (Fi.ACAT), the Redress Trust and OMCT.

2. This coalition comprises the following organisations: Centre for Equality Rights (CERA), Centre on Housing Rights and Evictions (COHRE), International Commission of Jurists (ICJ), For the Right to Feed Oneself (FIAN), International Women Rights Action Watch Asia Pacific (IWRAW Asia Pacific) as well as experts on economic, social and cultural rights.

3. L'INCHRITI comprises the following organisations: Low Income Families Together (LIFT), Lutheran World Federation (LWF), People's Movement for Human Rights Education (PDHRE), Habitat International Coalition (HIC), the Latin American and Caribbean Committee for the Defence of Women's Rights (CLADEM), For the Right to Feed Oneself (FIAN) and OMCT.

Urgent Campaigns Programme

What is an urgent appeal?

Information from OMCT's partners in the field concerning potential or actual human rights violations is treated with urgency and forms the basis of interventions. These interventions – urgent appeals - aim at denouncing the violations in question and informing the relevant authorities and a global audience comprising individuals, institutions and the international or regional mechanisms that are most able to take appropriate and effective action in favour of the victims of these abuses. Most of OMCT's programmes, notably the Urgent Campaigns; Violence Against Women, Children's Rights; Economic, Social and Cultural Rights and the Observatory for the Protection of Human Rights Defenders programmes, issue urgent appeals – in total around 500 per year - in order to denounce the human rights violations that are brought to their attention.

Urgent appeals represent the organisation's most rapid means of action in support of victims, alongside the emergency assistance provided by the Urgent Assistance to Victims of Torture programme, and form the basis of many of the other complimentary activities that the organisation performs in the longer term. Urgent appeals are documents that recount the details of the situation surrounding particular potential or actual human rights violations and then call upon the relevant authorities to take action in order to halt these or prevent further abuses; to bring the perpetrators to justice; and to guarantee adequate reparation to the victims, amongst other things. OMCT's action network, comprising thousands of members, then use these documents as the basis for their own letters of complaint or other appropriate forms of action – notably the various international and regional human rights mechanisms.

To give an idea of the volume of cases being dealt with, in 2003 OMCT's urgent appeals concerned 5'405 individual victims, 175 groups and 61 organisations, including the following number of victims of particular violations: arbitrary arrests and detentions – 2'060 individuals and 33 groups; incommunicado detention (with risks of torture) – 277 individuals and 7 groups; forced disappearances – 359 individuals and 2 groups; custodial deaths – 200 individuals and 2 groups; death sentences resulting from unfair trial – 267 individuals and 2 groups; extra-judicial executions – 377 individuals and 11 groups; and torture – 367 individuals and 33 groups who were subjected to arbitrary detention in the urgent appeals during the year, OMCT had been informed of the release of 359 individuals and 2 groups by the end of 2003.



OMCT's Urgent Campaigns Programme has as its goals: the anticipation and prevention of acts of torture and other grave human rights violations; the end of known gross human rights violations; the fight against impunity of the perpetrators of these acts; and obtaining appropriate reparation and redress for the victims. While these goals are unlikely to be achieved in full in the near term, the Urgent Campaigns programme works assiduously at achieving them on a daily and case-bycase basis, to improve the situation of the individuals in question in its interventions.

The programme, which forms a corner-stone of the organisation's actions in favour of victims of human rights abuses, undertakes activities designed to further these aims based on information supplied by OMCT's global network of grass-roots NGOs. The programme's main activity is the production and dissemination of urgent appeals.

Concerning the work performed in 2003 in the daily struggle in favour of victims around the world, the Urgent Campaigns programme has produced, translated and disseminated 247 urgent appeals, 29 press releases and 23 bilateral interventions, concerning 3'644 individuals, 103 groups and 4 organisations that were actual or potential victims of arbitrary arrests, incommunicado detention, ill-treatment, torture, forced disappearances and extra-judicial executions, as well as the other violations found within the organisation's mandate. A more detailed breakdown of the statistics can be found on pages 38–41. In many cases when a person is released from detention following an urgent appeal, OMCT considers that its appeal has had an impact. It is, however, more difficult to quantify the exact extent of the impact of appeals in, for example, cases where persons were at risk of being subjected to torture, but experience and testimonies show that, following an intervention by OMCT and its network, these risks are often decreased and persons have therefore been protected from abuse.

The impunity enjoyed by the perpetrators of human rights violations remains a significant challenge, which is being addressed by follow-up action concerning particular cases, but the urgent priority of this system of intervention is to protect victims from further abuses. Longer term action, for example in pursuit of perpetrators and for reparation for victims is launched under the urgent appeals system, but can later be taken up by OMCT's other programmes' activities, for example as individual complaints to the appropriate United Nations committees, notably: the Human Rights Committee, the Committee Against Torture and the Committee on the Elimination of Discrimination Against Women.

The Urgent Campaigns Programme had set itself the goal of disseminating over 200 urgent appeals by the end of the year, and has, as the statistics show, exceeded this target. The programme was able to exceed this target in order to respond to urgent cases of human rights violations, through the allocation of funds beyond its planned budget. The countries that were the subject of the greatest number of appeals during 2003 are Egypt, Sudan, Sri Lanka and Colombia, while Nepal figured prominently in the latter part of the year.



Moreover, OMCT intervened in a bilateral manner on 23 occasions (by means of confidential letters addressed to governments) in situations where the dissemination of urgent appeals would have proven ineffective and/or counter-productive to the goal of improving the victim's situation. In addition, the programme published 29 press releases in 2003 in support of the urgent appeals, in order to garner the support of local, regional and the international media in disseminating information about particular cases or situations.

During 2003, it is important to note an increase in the programme's activities in Asia, resulting from the concerted efforts undertaken these past two years to establish or further develop working relations with grass-roots NGOs in the region, particularly in Bangladesh, China, Malaysia, Myanmar, Indonesia, India and Nepal. The seriously deteriorating situation in Nepal during the end of the year has been of particular concern, and the urgent actions launched during the period since August, when a cease-fire between the Government and Maoist rebel forces broke down, has formed the basis of OMCT's advocacy work with the international community in seeking ways in which the situation in the country can be defused and human rights upheld. Moreover, by working with partner NGOs, OMCT has continued to increase its activities in countries comprising the Community of Independent States (CIS) such as Azerbaijan and Uzbekistan. The International Secretariat also continues disseminating urgent appeals on the continents and in the regions where the SOS-Torture network is already well established, such as Africa, the Middle East and Latin America.

The rapid flow of reliable information from local experts in the field, which is made possible by the organisation's network structure and working methods, and to the campaigns' target audiences, is crucial in achieving success for the programme's campaigns. Harnessing the opportunities that developments in communications technology afford such efforts at the global level, notably the internet and e-mail distribution systems, are central to these endeavours, and the Urgent Campaigns programme has continued to find ways in which to innovate in its use of these new tools during 2003. Of note in this context is the redevelopment of the organisation's website, which has been coordinated by the programme's staff, in order to maximise the scope and impact of its online urgent campaigns, and the extent to which visitors to the site can participate in these campaigns in a user-friendly manner. 2003 has seen extensive work conducted on this system by the Urgent Campaigns programme, the fruits of which will be borne in 2004 and subsequent years.

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Special Procedures Programme

The Special Procedures programme complements both the Urgent Campaigns programme and the Urgent Assistance to Victims of Torture programme by facilitating the access of victims and local NGOs to the various specialized mechanisms that can be used in the struggle against torture, in particular within the United Nations system. The programme's three main activities include:

• **P**roviding legal and technical assistance to the victims of torture who present their cases before the Committee Against the Elimination of the Discrimination against Women (CEDAW), the Committee Against Torture (CAT) and the Human Rights Committee (HRC);

• **D**rafting joint alternative reports with local NGOs that are submitted to the CAT and the HRC, as well as monitoring the implementation of the recommendations taken by the CAT and the HRC in the field;

• **D**rafting a practical guide on the international procedures that can be used in the fight against torture.

The programme also places particular importance on mainstreaming gender and children rights into these different activities, especially the alternative reports that it produces.

Submission of alternative reports before the CAT and the HRC

In 2003, the Special Procedures Programme submitted 11 alternative reports before the CAT and the HRC. These reports, that were produced jointly with local NGOs, concern the following countries:

Alternative reports presented to the CAT

Azerbaidjan – A report was presented by the Human Rights Center of Azerbaijan, a member of SOS Torture's network, together with the International League for Human Rights and OMCT.

Belgium – A joint report was presented by the Observatoire International des Prisons (OIP), the Mouvement contre le Racisme, l'Antisémitisme et la Xénophobie (MRAX) and the Ligue des droits de l'Homme (Belgique francophone).

Cambodia – Two alternative reports were submitted: OMCT presented a joint report with the Asian Legal Resource Center. A second report was also presented by LICADHO, one of the most well know organizations working in Cambodia.

Colombia – A coalition of 13 NGOs, together with OMCT, submitted an alternative report on State violence in the country 4 .

MOTOCCO – An alternative report was presented jointly by OMCT and the Association Démocratiques des Femmes Marocaines (ADFM), the BAYTI Association and the Observatoire Marocain des Prisons (OMP).

Moldova – Two reports were presented: one by the Moldovan Helsinki Committee for Human Rights and one by the Institute for Penal Reform of Moldova.

4. Apoyo a víctimas pro recuperación emocional - AVRE-;

Asociación de familiares de detenidos desaparecidos -ASFADDES-

Asociación para la promoción social alternativa -Minga-

Benposta Nación de Muchachos

Colectivo de Abogados "José Alvear Restrepo"

Comisión Colombiana de Juristas

Consultoría para los derechos humanos y el desplazamiento -CODHES-

Corporación Casa de la Mujer -Bogotá-

Corporación regional para la defensa de los derechos humanos -CREDHOS-

Corporación "Reiniciar"

Fundación Comité de Solidaridad con los Presos Políticos -CSPP-

Organización Femenina Popular -OFP-

Ruta pacífica de las mujeres

Turkey – The Human Rights Association of Turkey, a member of SOS-Torture's network, collaborated in a paper with OMCT's programme on Economic, Social and Cultural Rights on house demolitions and forced evictions as a form of inhuman or degrading treatment or punishment.

Alternative reports presented to the HRC

Sri Lanka - a joint report was presented with three local and regional NGOs, namely: the Asian Legal Resource Centre (ALRC), the Centre for Rule of Low and People Against Torture (PAT).



Philippines – a report was submitted by OMCT and a coalition of three very active NGOs in the field of the defence of human rights: the PREDA Foundation, Task Force Detainees of the Philippines (TFDP) and the Women's Education, Development, Productivity and Research Organisation (WEDPRO).

Briefing sessions for the members of the CAT and the HRC were organized, allowing 23 representatives from 20 local and regional NGOs to report their observations and concerns. Moreover, press statements were released and press conferences were organized in order to disseminate the reports and the recommendations made by the committees.

A follow-up mission in Colombia was organized in December 2003 in order to disseminate the recommendations made by the CAT and to assist the Government in implementing them.

The Special Procedures programme has also followed the development of international legal standards. In 2003, OMCT continued to participate in the discussions concerning the proposed principles on reparations and also participated in discussions on efforts to combat impunity.

International complaints/petitions

OMCT assisted several victims in presenting individual complaints. An OMCT representative attended two hearings (in March and October 2003) at the Inter-American Commission on Human Rights about a petition concerning the 1993 Candelária Street Children massacre in Brazil. Efforts are being made to reach a settlement in the case of a survivor of the Candelaria street children massacre in order to ensure that he is provided with full reparation.

Within the context of the Prevention of Torture Project, a number of fact-sheets were prepared and contacts were made regarding the presentation of individual complaints before the CAT, the CEDAW and the HRC. In addition, a petition was presented to the HRC, in collaboration with the Asian Human Rights Commission and Inter-Rights.

Practical Guide

OMCT is working in partnership with well-known experts on the African, European and Inter-American Human Rights systems in order to produce a practical guide on international procedures available in the fight against torture, for the use of OMCT's network and other local NGOs.

Alternative reports: how they work?

One of the main activities carried out by OMCT, and more precisely by the Special Procedures programme, is the production of alternative reports, which are then submitted to the different treaty-monitoring bodies. These joint reports, that are drafted with local or regional NGOs that are members of the SOS-Torture network, are a vital source of information for the different committees that are charged with analysing the human rights situation in the States that are party to the various Conventions and Covenants. Each State party to the different Covenants (International Covenant on Economic, Social and Cultural Rights; International Covenant on Civil and Political Rights) and Conventions (International Convention on the Elimination of all forms of discrimination against Women; Convention against Torture and other cruel, inhuman or degrading Treatment or Punishment; Convention of the Rights of the Child) has the duty to submit a report regarding the enforcement of its obligations, on a regular basis. These reports are a difficult exercise for State parties, which are reluctant to criticize their own actions and often produce subjective reports. In this context, the reports drafted by OMCT represent a real alternative to the official reports, and attempt to outline a more accurate description of the situation. These alternative reports are therefore a very useful resource for the members of the committee, who study the official reports and present their recommendations, which are often inspired by OMCT's own recommendations.

Urgent Assistance to Victims of Torture Programme

In October 2003, at the request of a member organisation of the SOS-Torture network, OMCT granted medical and legal assistance to a citizen of Sri Lanka a victim of torture who was born in 1986.

This citizen of Sri Lanka was arrested at his home on 20 July 2003 by a plainclothes policeman for belonging to a network of thieves, which he has consistently denied. He was forced to follow the policemen without being able to warn anyone, he was subjected to torture, during which he was forced to denounce friends who had also been arrested. He was detained for seven days in the Amabthenna (Kandy) police station before being transferred to the Rajaveediya prison on 27 July 2003, where he was unable to receive any medical examination (and was only given painkillers). He was finally released on parole on 30 July 2003. After being admitted to hospital in July and then in August 2003, he took regular physiotherapy sessions for two months which enabled him to regain good movement in his two arms. Nevertheless, he still has sensitivity disorders, as confirmed by a medical report that was produced in October 2003 by an orthopaedic surgeon.

Based on this young man's medical file, OMCT agreed to cover the costs of his stay in a European country in order for him to get a second opinion and to obtain an independent medical report to meet the requirements of the legal proceedings he has initiated against his torturers. Since this report was written in French, OMCT also covered the costs of translating it into English.

The decision in 1986 to set up the Urgent Assistance to Victims of Torture Programme was dictated by the imperative need expressed by members of the SOS-Torture network to respond immediately and in an appropriate manner to the needs of women, men and children that are the victims of torture. Although limited, this assistance often makes the difference, in that it is granted immediately. Thanks to its 266 members in 89 countries, who are known for their credibility and reliability and who identify and check requests for urgent assistance submitted by victims, OMCT is able to provide the first, most pressing, assistance at a minimum cost and within a very short space of time.

In 2003, 118 victims of torture (61 cases⁵ – including a case of collective assistance) from 17 countries⁶ were provided with urgent medical, legal and/or social assistance. Among these victims, one can list 47 women and 71 men. Out of these 118 victims, 29 are children (see statistics page 42].

During this period, out of a total of 71 assistance grants:

- 16 assistance grants were of a medical type (22,50% of total grants of assistance);
- 39 assistance grants were of a legal type (55% of total grants of assistance);
- 16 assistance grants were of a social type (22,50% of total grants of assistance).

Victims assisted within the framework of the Urgent Assistance to Victims of Torture programme are direct or indirect victims of torture according to article 1 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Considering the urgent assistance provided in 2003, acts of torture were perpetrated by State agents in the majority of cases, notably: guards, law enforcement agents and soldiers. One should add to these victims of State violence, victims of acts of torture perpetrated by occupation armies.

In terms of urgent assistance to victims of torture, OMCT's approach is global. It is indeed not enough only to provide assistance corresponding to the physical and psychological injuries that the victim has sustained. It is crucial that the victim is able to obtain redress for this suffering. This includes rehabilitation, adequate compensation, reintegration within society, and punishment of the perpetrators.

In 2003, in terms of **medical assistance**, medical assistance, the funds allocated have helped victims to partially or totally recover their physical or psychological health, be it by covering the costs of evacuation to a centre specialised in caring for torture victims, of psychiatric treatment, or by continuing to pay for the treatment that had previously been financed and that is necessary for the victim's complete recovery. As far as **legal assistance** is concerned, in 2003, victims of torture have obtained that: the competent authorities reconsider their request for political asylum; have been temporarily authorised to stay in the country of asylum as refugee candidates; have been authorised to stay in the country of asylum following the acceptance of their appeal (verification by OMCT of the allegations made by asylum seekers in cooperation with a member organisation of the SOS-Torture network and of the risks of torture suffered in case of refoulement); have benefited from legal assistance and obtained political refugee status; have been assisted in the handling of their request for relocation to a country of asylum (request accepted by these authorities and intervention with the local delegation of the Office of the United Nations High Commissioner for Refugees (UNHCR)); and have been granted UNHCR refugee status. Other victims of torture have been assisted in order to help them assert their rights with an international mechanism (Inter-American Commission on Human Rights) or a national court (covering the costs engendered by establishing an independent forensic report aimed at

prosecuting the perpetrators of the torture to which the victim was subjected; support in the drafting of a complaint against the perpetrator of acts of torture suffered).

In 2003, thanks to **social assistance**, victims of torture have been removed from situations in which they faced serious threats, in order for **5.** A case may involve several victims.

6. Brazil, Cameroon, Chad, Colombia, Congo (Democratic Republic of), Egypt, El Salvador, Iran, Libya, Mexico, Rwanda, Sierra Leone, Sudan, Sri Lanka, Togo, Tunisia, Turkey. them to avoid once again being subjected to torture, summary execution or forced disappearance. Others were able to cover urgent basic living expenses. Covering subsistence expenses in the country of origin of the victim or in a temporary host country where the victim had taken refuge is by definition a one-off and aims at helping the victim and his/her family to face inextricable social difficulties resulting from the departure



from his/her country of origin or the loss of all possessions. The granting of such assistance also aims at ensuring a certain degree of monitoring, in cases of arbitrary detentions in conditions that may endanger the physical and psychological integrity of the victim as the family is able to regularly go to the place of detention of the victim in order to provide him/her up with some food, ensuring that the victim is not totally isolated from the outside world.

"I'm writing this note to you in order to express by most sincere thanks for all that you have done for me while I was in exile for one year and seven days, living in total insecurity in Kampala – Uganda, far away from my family and friends ... "

Democratic Republic of Congo, July 2003

In 2003, thanks to **social assistance**, victims of torture have been removed from situations in which they faced serious threats, in order for them to avoid once again being subjected to torture, summary execution or forced disappearance. Others were able to cover urgent basic living expenses. Covering subsistence expenses in the country of origin of the victim or in a temporary host country where the victim had taken refuge is by definition a one-off and aims at helping the victim and his/her family to face inextricable social difficulties resulting from the departure from his/her country of origin or the loss of all possessions. The granting of such an assistance also aims at ensuring - in cases of arbitrary detentions in conditions that may endanger the physical and psychological integrity of the victim - some monitoring: as the family is able to regularly go to the place of detention of the victim in order to provide him/her up with some food, ensuring that the victim is not totally isolated from the outside world.

Children's rights programme

Since the time of its creation, OMCT has received denunciations of grave violations of children's rights that fall within the organisation's mandate. At the request of the OMCT General Assembly, the Children's Rights Programme was created in 1991 in order to promote the protection of children from torture and other forms of violence, in accordance with the UN Convention on the Rights of the Child (CRC), and especially its article 6 (right to life), 19 (violence), 37 (torture) and 40 (juvenile justice), the optional protocols to the CRC (on children in armed conflict and on the sale of children, child prostitution and child pornography), as well as international standards relating to juvenile justice (Riyadh guidelines, Beijing Rules, etc.).

Urgent appeals concerning children

In 2003, OMCT distributed 53 urgent appeals on violations of children's rights, including 19 "joint appeals" (cases of violations both against adults and children, giving details on the specific situation of the latter) and 34 "child concern" appeals sent out to the organisation's general mailing lists, as well as to targeted specialised child rights bodies.

• Numerous cases concerned issues relating to juvenile justice and the appeals denounced acts of torture or threats during police custody, the absence of judicial guarantees and the imposition of abusive punishments that are contrary to the principles enshrined in the Convention on the Rights of the Child, notably in countries of Central Asia, Moldova, Russia, as well as in the US and in several countries in Asia (India, Nepal, Pakistan, Sri Lanka)

• **O**MCT also alerted the international community to several cases of arbitrary arrests and detention as well as torture and extrajudicial killings of children in contexts of armed conflicts and/or the fight against terrorism, in Malaysia, the Philippines and Israel.

• All "child concern" appeals concerning violations in European countries (Greece, Serbia Montenegro, and Spain) were related to discrimination against migrant children or children from ethnic minorities (Roma).

• All "child concern" appeals on cases having taken place in Africa relate to punishment amounting to torture and/or inhuman and degrading treatment committed either by state agents (corporal punishment in Sudan, death penalty commuted into life sentences in the Democratic Republic of Congo) or by private persons with lack of due diligence from the State (torture or exploitation of so-called delinquent children or child-witches in the Democratic Republic of Congo).

• One appeal denounced the repression of a peaceful demonstration of child workers who were requesting greater respect for their rights in Peru.

Children's rights in the work of UN treaty monitoring bodies

• In 2003, OMCT prepared 4 alternative reports for the UN Committee on the Rights of the Child. These reports examine the protection of children from torture and other forms of violence, as well as the situations endured by child victims of such abuses in Pakistan, Georgia, Bangladesh and Madagascar. Three of these reports were presented before the Committee during its pre-session, including two with the participation of local partners who are members of the SOS Torture network.

• Since June 2003, OMCT coordinates the preparation and presentation of reports to the UN Human Rights Committee and the Committee Against Torture, which all include a strong child rights component. Reports on the situation in the Philippines, Sri Lanka, Colombia, and Morocco have been presented. Representatives of local NGOs that are specialised in children's rights were welcomed as part of the delegation of 3 persons invited to present each of those reports to the committee. (see the Special Procedures

In September 2003, OMCT visited all of Uruguay's detention centres for juvenile offenders. Unacceptable sanitary conditions were discovered in the Berro high security centre. Four adolescents were sleeping in full daylight in a cell measuring 5m2. They were forced to share the cell's single bed or sleep on the floor, seemed to have been sedated, and were covered with sores and wounds. Water constantly dripped from a tap and cold air entered the cell through the barred hole in the wall. In this centre, as well as in preventive detention facilities, the children spent 23 hours per day in their cells. Furthermore, the judicial administration system and the disciplinary measures in detention facilities, prevent the youths from knowing when their detention will end. Uruguay is, however, one of the countries in Latin America with the best records for respecting the rights of children in conflict with the law, and is a significant player in the defence of children's rights at the international level.

programme).

• in autumn 2003, the Children's Rights programme participated in the organisation of a training seminar, a fact-finding mission and the preparation of a report to the UN Committee on Economic Social and Cultural Rights on the evolution of the humanitarian situation in Chechnya, in direct collaboration with Chechen NGOs. The participation of the Children's Rights programme allowed particular attention to be given to violations of the rights to education and to protection and assistance to the family in the present context (see Economic, Social and Cultural Rights programme).

Acting for a justice system that is adapted to children worldwide

OMCT was consulted by the UN Committee on the Rights of the Child during its preparation of several general comments on the CRC in 2003, including a general comment on the minimum age of criminal responsibility. OMCT contributed to the Committee's decision to leave out this controversial document in favour of a more comprehensive comment on general principles of juvenile justice to be developed in 2004, to which OMCT will again bring its expertise. OMCT was also invited to join an expert committee created by UNICEF to develop new child protection indicators in the field of juvenile justice, which met in Geneva (July 2003) and New York (November 2003).

Towards better protection from violence against children in Europe

In 2003, OMCT presented 5 collective complaints before the Committee of the European Social Charter on the absence of explicit prohibition of corporal punishment in the legislations of Greece, Italy, Ireland, Portugal and Belgium. These complaints were declared admissible and will be examined during the course of 2004.





$\boldsymbol{\mathcal{W}}$ hy juvenile justice is needed?

The UN Convention on the Rights of the Child establishes that justice applied to children must "take into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society" (art.40) and that "the arrest, detention or imprisonment of a child shall be (...) used only as a measure of last resort and for the shortest appropriate period of time" (art.37). However, thousands of children in conflict with the law are condemned to long prison sentences, not to mention millions of innocent children that are the victims of arbitrary arrests and forced institutionalisation worldwide. Yet it is clear that some of the worst abuses committed by State agents take place in these contexts and that deprivation of liberty usually hampers the sense of responsibility and the positive development of the child. Juvenile justice must therefore be a separate system, where specialised and trained professionals implement international standards according to national laws and procedures that are adapted to children. Their priority must be to devise constructive measures tailored to each child in conflict with the law, on the basis of rights and responsibilities recognised by the State.

Violence against Women Programme: A Three-fold Strategy

In answer to the increasing number of cases on gender-specific forms of violence coming from the members of the SOS-Torture Network and other sources, OMCT decided in 1996 to establish a special programme, which addresses and analyses the gender-related causes and consequences of torture and other forms of violence against women. In every region of the world, women and girls suffer from violence as a result of their gender. Although the distinct social, cultural and political contexts give rise to different forms of violence, its prevalence and patterns are remarkably consistent, spanning national and socioeconomic borders and cultural identities. Gender has a considerable effect on the form of the violence, the circumstances in which the violence occurs, the consequences of the violence, and the availability and accessibility of remedies. Because of violence, women are deprived, either partially or totally, of the enjoyment of their human rights and fundamental freedoms.

> For the past three years, the Violence against Women Programme has been working according to a threefold strategy. This strategy has involved the issuance of urgent appeals concerning gender-based violence, the submission of alternative country reports on violence against women to the UN Committee on the Elimination of Discrimination against Women and mainstreaming a gender perspective into the work of the UN treaty monitoring bodies through the submission of alternative country reports specifically on violence against women.

Urgent Appeals on Violence against Women

In 2003, the Violence against Women Programme circulated 31 urgent appeals relating to 80 women and girls in 15 different countries. These appeals are rapidly sent to the appropriate United Nations mechanisms: inter alia, the Commission on the Status of Women; the Special Rapporteur on violence against women; the Special Rapporteur on torture; and the Special Rapporteur on extra-judicial, summary or arbitrary executions. These appeals are also sent to regional mechanisms specifically concerned with women's human rights, such as the African Commission's Special Rapporteur on the rights of women, and other international, regional or national institutions, bodies or organs that have considerable influence in the field of protection and promotion of the human rights of women, including OMCT's SOS-Torture network, other NGOs and individuals.

A large number of the appeals related to violence against women concerned rape and other forms of sexual violence: the most distinguished gender-related form of torture of women. In particular, OMCT intervened in Bangladesh, Greece, Sri Lanka, Nepal, Thailand, Turkey, to denounce sexual violence. Although men are also

In 2003, the OMCT Violence Against Women

Programme was recognised by the UN Special Rapporteur on violence against women, its causes and consequences, as a "best practice" in the fight to end violence against women. (UN Doc. E/CN.4/2003/75/Add.1)









targeted with sexual violence, sexual forms of torture and illtreatment are more consistently perpetrated against women.

In certain societies victims of rape or other forms of sexual violence are threatened with expulsion from their home or community, are at risk of being killed or subjected to further violence at the hands of members of their family or the community, or are forced into marriage with the rapist. In other countries, women victims of rape may run the risk of being charged and punished with adultery. Faced with these consequences, women victims of sexual violence, including torture, are reluctant to report out of fear and shame leading to impunity for the perpetrator.

Again in 2003, several urgent appeals and communications relating to violence against women concerned corporal or capital punishment, particularly in Iran, Nigeria and Sudan, where women were sentenced for adultery, murder or non-adherence to the dress code. One of the cases in Sudan concerned a 15-year old girl who was sentenced to 30 lashes of the whip for not wearing socks. Gravely concerned by the increasing number of such cases, OMCT campaigns actively against practices as stoning and flogging as well as capital punishment, which it considers to be forms of torture and cruel, inhuman or degrading treatment or punishment.

For more information on OMCT's urgent appeals system, please see page 8.

Submission of Alternative Country Reports on Violence against Women to the United Nations Committee on the Elimination of Discrimination against Women

In 2003, OMCT submitted four alternative country reports to the United Nations Committee on the Elimination of Discrimination against Women concerning violence against women in Kenya, Costa Rica, France and Morocco. All reports were drafted in close co-operation with national human rights organisations. The choice of countries was based on the agenda of the Committee, the situation in the country and the availability of reliable information.

OMCT participated actively in the July session of the Committee on the Elimination of Discrimination against Women where it presented its concerns and recommendations in relation to Costa Rica, France and Morocco.

Integrating a Gender-Perspective - Submission of alternative country reports on violence against women to the 'mainstream' United Nations Human Rights Treaty Bodies

In order to contribute to the integration of gender and the human rights of women into the work of the so-called "mainstream" United Nations human rights treaty monitoring bodies, the Violence against



Women Programme submitted ten alternative country reports in 2003 on violence against women to the following five treaty bodies: three country reports to the Committee against Torture on Cameroon, Colombia and Turkey; two country reports to the Human Rights Committee on Estonia and Mali; two country reports to the Committee on Brazil and Russia; two country reports to the Committee on Brazil and Russia; two country reports to the Committee on the Rights of the Child on Bangladesh and Eritrea; and one country report to the Committee on the Elimination of Racial Discrimination on the United Kingdom. The main findings of the different reports were presented during various briefing sessions with members of the treaty bodies.

As with the CEDAW reports, these reports were drafted in consultation with national human rights organisations and the choice of countries was based on the agenda of the different Treaty Bodies, the situation in the country and the availability of reliable information.

As a joint activity with the Programme on Economic, Social and Cultural Rights and the Child Rights Programme, the Violence against Women Programme traveled to the Republic of Ingushetia to organise a seminar on economic, social and cultural rights in conflict situations for Chechen NGOs, in preparation for the submission of a report on Chechnya to the Committee on Economic, Social and Cultural Rights. The Violence against Women Programme was responsible for integrating a gender and women's human rights dimension into the training and discussions. (For additional information, please refer to the activities of Programme on Economic, Social and Cultural Rights, p.26). The Violence against Women Programme also undertook a fact-finding mission in Ingushetia and Moscow for the research for its report on Violence against Women in Russia.

Similar to past years, the Violence against Women Programme strongly emphasised its gender-integrating activities in its work with the Committee against Torture as this Committee continues to be the least gender-sensitive and OMCT is the only human rights NGO which regularly submits specific reports on torture of women to the Committee against Torture.

Within the framework of OMCT's new project entitled : "The Prevention and Reinforcement of the Role of NGOs within the International and Regional Human Rights Mechanisms," the Violence against Women Programme was responsible for the integration of a gender-perspective into the alternative country reports on the Philippines, Sri Lanka, Colombia and Morocco presented by this programme to the Committee against Torture and the Human Rights Committee. National women's human rights NGOs from these countries formed part of the delegations, which were invited by OMCT to present the respective country reports to the treaty monitoring bodies concerned.

$Gender^7$ Mainstreaming and the Human Rights of Women

Gender Mainstreaming has been defined by the United Nations as the process of assessing the implications for women and men of any planned action, including legislation, policies and programmes, in any area and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension in the design implementation, monitoring and evaluation of policies and programmes, in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality (ECOSOC Agreed Conclusions 1997/2, UN document A/52/3, Chapter IV, para 4).

The process of gender mainstreaming requires in practice the collection of data that examines the implementation of human rights norms and identifies the obstacles that both women and men experience, on account of their gender, in achieving the full enjoyment of their human rights. It also calls for action to identify areas where gender represents a cause for a violation of human rights of which gender-based violence is an example. OMCT's gender analyses and reporting entail an assessment of the effects of gender on the form which the human rights violation takes, the circumstances in which the violation occurs, the consequences of those abuses, and the availability and accessibility of remedies.

Similarly, mainstreaming initiatives have been undertaken to respond to the need to incorporate a child rights dimension into the activities of the United Nations human rights mechanisms. Mainstreaming children's rights assesses the enjoyment of human rights of children within the framework of objectives of international human rights standards and bodies.



7. Gender is a socially defined or constructed expectation regarding roles, attitudes and values in a particular socioeconomic, political and cultural context, while the term sex refers to biological differences.

Programme on Economic, Social and Cultural Rights

OMCT's work has highlighted that the occurrence of torture, summary executions, enforced disappearances and ill-treatment can not be dissociated from socio-economic factors, and from the enjoyment of economic, social and cultural rights. This relationship can be looked at from different perspectives: the socio-economic background of the victim, the socio-economic context in which the violation occurs or the victim's rehabilitation. Since 1989, OMCT has paid specific attention to these considerations. Today, through its Programme on Economic, Social and Cultural Rights, OMCT examines the indivisibility and interdependence of all human rights with a view to addressing the particular vulnerability of certain groups to torture, summary executions, enforced disappearances and other forms of cruel, inhuman or degrading treatment or punishment.

"The overwhelming majority of those subjected to torture and ill-treatment are ordinary common criminals from the lowest strata of society".

Nigel Rodley, United Nations Special Rapporteur on torture

Today, torture and ill-treatment most frequently affect people coming from the underprivileged classes of society. Moreover, a socio-economic situation characterised by poverty, social exclusion and by an unequal distribution of productive resources plays an undeniable role in the emergence of torture. In terms of the victim's rehabilitation or compensation, the entire socio-economic context, along with the enjoyment of economic, social and cultural rights, become fully relevant when one looks at issues such as access to justice or reintegration in mainstream society. House demolitions and forced evictions can be a form of cruel, inhuman and degrading treatment

Recent developments in the jurisprudence of the UN Committee against Torture (CAT), in which OMCT played a crucial role, have highlighted how torture and other forms of cruel, inhuman or degrading treatment or punishment can relate to the enjoyment of economic, social and cultural rights; particularly in the context of house demolitions and forced evictions.

Urgent Interventions on Economic, Social and Cultural Rights

In 2003, OMCT circulated 50 urgent appeals and 10 open letters on violations of economic, social and cultural rights relevant to OMCT's mandate.⁸ These appeals, written and disseminated in English or Spanish, dealt with 27 different countries on behalf of 1'238 individuals and 40 groups.

In 2003, OMCT documented and distributed a large number of appeals related to the repression of social protests and demands for greater social justice. Cases have been documented in Colombia, Bolivia, Brazil, Honduras, Peru, the Philippines and Myanmar in relation to the repression of farmers, activists working on economic, social and cultural rights, as well as indigenous peoples demanding control/ownership over their ancestral lands. Other cases of repression related to labour conflicts and the particular situation of migrant workers in Cambodia, China, Colombia, Egypt, Guatemala, the Philippines, South Korea and Thailand. A case of repression related to the construction of a pipeline was also documented in Turkey.

Again, in 2003, several urgent appeals covered cases of forced evictions and house demolitions. Forced evictions and house demolitions related to the implementation of development projects have notably taken place in China, India, Sri Lanka, Tibet and Indonesia, in the absence of adequate resettlement and compensation for the affected communities. In most cases, violent repression, including the excessive use of force, ill-treatment, beatings and arbitrary detentions have accompanied such evictions. Cases of forced evictions and house demolitions of Roma and indigenous people have also been brought to the attention of OMCT by its members, notably in Greece, India and the Philippines. Again, in many instances, ill-treatment has accompanied such events. House demolitions and forced evictions, carried out by Israel in the Occupied Palestinian Territories as a form of cruel, inhuman or degrading treatment or punishment, have continued to take place in 2003 and have been documented by OMCT accordingly. Other cases of forced evictions and house demolitions documented by OMCT throughout the year related to the particular situation of farmers in Paraguay and the Philippines, as well as to individuals or groups affected by illegal evictions in Mongolia, Serbia/Montenegro, Turkmenistan, Colombia and Azerbaijan.

In 2003, OMCT also documented cases related to the issue of access to basic services in the Dominican Republic, the enjoyment of the right to education in Greece and Malaysia, as well as the enjoyment of the right to health in Israel. In most instances, violations of economic, social and cultural rights have been accompanied by ill-treatment or arbitrary arrests and detentions.

8. Since July 2003, all appeals related to the enjoyment of the right to adequate housing have been realised in common with the Coordination Office of the Housing and Land Rights Network of Habitat International Coalition (HIC-HLRN).

Submission of Reports to the United Nations Committee on Economic, Social and Cultural Rights (CESCR) and the United Nations Committee against Torture (CAT

In 2003, OMCT submitted two alternative reports to the CESCR on Israel and Chechnya, as well as one report to the CAT on Turkey. These reports were prepared and presented jointly with other organisations. Representatives of these organisations 28

travelled to Geneva and –with OMCT's support– presented the reports to the Committees and met the Committees' experts.

The two reports on Israel and Chechnya exposed the particular condition of populations affected by conflict and the impact of such situation on the enjoyment of economic, social and cultural rights such as the right to health, education or adequate housing.⁹ The report on Turkey addressed the issue of house demolitions and forced evictions as a form of illtreatment ¹⁰.

Forced evictions and house demolitions in Turkey under the Convention against Torture

In its report on Turkey, 'House Demolitions and Forced Evictions perpetrated by the Turkish Security Forces: A Form of Cruel, Inhuman or Degrading Treatment or Punishment against the Kurdish Population' OMCT and the Human Rights Association of Turkey documented the policy of house demolitions and forced evictions conducted by the Turkish Army against the Kurdish population, along with the current situation faced by the victims. Relying on the jurisprudence of the European Court on Human Rights (ECHR) and the CAT, the report highlighted how such policy, by its main features and impact on the victims, constituted a form of cruel, inhuman or degrading treatment or punishment. The report also underlined that the victims are often confronted, in their resettlement place, with desperate socio-economic conditions. In its Concluding Observations, the CAT recognised the relevance of this issue within its mandate.

Training seminar held in Ingushetia

In October 2003, OMCT organised, in collaboration with the Chechen NGO 'Echo of War', a training seminar on the United Nations human rights mechanisms. This seminar was held in Ingushetia and gathered around 50 Chechen representatives of cultural, educational, media and human rights organisations. During the seminar, particular emphasis was put on economic, social and cultural rights, such as the right to health, the right to adequate housing and the right to education. Following the seminar, a report, 'Chechnya: No Means to Live, An Appraisal of Violations of Economic, Social and Cultural Rights in Chechnya' was presented in November 2003 to the United Nations Committee on Economic, Social and Cultural Rights (CESCR). Representatives of Chechen human rights NGOs came to Geneva to present the report to the CESCR.

9. The report presented to the CESCR on Israel/Occupied Palestinian Territories (OPT) was prepared and presented with the Arab Association for Human Rights (Israel), Al Beit Association for the Defence of Human Rights in Israel (Israel), Habitat International Coalition. Housing and Land Rights Committee (Middle East/North Africa), Al-Hag (OPT), LAW Society (OPT), Al-Mezan Center for Human Rights (OPT), Mossawa Centre (Israel), Palestinian Centre for Human Rights (OPT), Regional Council of Unrecognised Villages in the Negev (Israel): The report presented to the CESCR on Chechnya was prepared and presented in collaboration with Echo of War and the Russian-Chechen Friendship Society.

10. This report was prepared and presented with the Human Rights Association (HRA).

An International Research Project Launched

In August 2003, OMCT launched an international research project focussing on the socio-economic dimensions of violence. The research will identify key socio-economic and institutional factors that have an impact on the occurrence of violence and contribute to the vulnerability of people with a low socio-economic status to violence. The primary focus will be on state violence and state inaction in cases of violence by non-state actors (such as private individuals, companies, criminal gangs etc.).



The project has two main components: a) an international study examining the jurisprudence developed by regional and international human rights mechanisms and policies of international financial institutions, and b) country studies carried out, in collaboration with national partners, in Argentina, Egypt, Nepal, South Africa, and Uzbekistan.

The results of the research will be published in 2004 and will be followed by an international conference where the findings will be discussed and a plan of action, focussing on future strategies will be developed.

The project is being carried out in collaboration with 5 partners: the Centro de Estudios Legales y Sociales (CELS), Argentina; the Land Center for Human Rights (LCHR), Egypt; the Human Rights Institute of South Africa (HURISA), South Africa; the Legal Aid Society (LAS), Uzbekistan; and Rural Reconstruction Nepal (RRN), Nepal. The International Labour Organisation (ILO), 3 Special Rapporteurs of the United Nations Commission on Human Rights, the Graduate Institute for International Studies (IUHEI), the University of Geneva (UNIGE) and the University of Lausanne (UNIL) are participating in the project in terms of supervision, input, methodology, content, and decisionmaking, among other functions.

Human Rights Defenders Programme

The Human Rights Defenders Programme was set up at the beginning of the 1990s when it appeared that individuals and groups who fought in order to inform the international community about serious human rights violations, had become a main target of repression. OMCT has decided, after debates during General Assemblies, to react systematically whenever human rights defenders were subject to threats and human rights violations even if it was not a case of torture or a similar violation. This position was adopted, not because of specific rights granted to human rights defenders, but because of their role in the struggle for the promotion and the defence of all human rights.

Indeed, NGOs and individual defenders, represent the link between the victim and the regional and international solidarity actions. If this link breaks, the victim has no means left to make his or her situation known and the violations remain unknown to national and international public opinion.

The first appeals in favour of defenders were published in 1990-1991 and subsequently, a specific programme was set up. Two reports were published on this theme, covering the periods 1992-1996 and the year 1997.¹¹ In 1997, a joint programme with the International Federation for Human Rights (FIDH), the Observatory for the Protection of Human Rights Defenders, was created.

Direct protection of groups and individuals through urgent interventions, missions and material assistance:

Urgent interventions

11. See: Into the Lion's Den ; Gross Human Rights Violations Against Human Rights Defenders 1992-1996, OMCT, Geneva, 1996, and In the eye of the Storm; Gross Violations Against Human Rights Defenders 1997, OMCT, Geneva, 1997 In 2003, the Observatory for the Protection of Human Rights Defenders issued 102 urgent appeals about cases of human rights violations concerning human rights defenders in 51 countries. Moreover, the Observatory directly contacts the authorities of the countries concerned, including sometimes through open letters. During the last year, the Observatory sent 16 open letters and 7 bilateral communications (confidential letters) to the authorities of 20 countries across the world. 48 press releases were also been issued. During the same period, the Observatory continued disseminating its newsletter in three languages, which summarises of all the cases produced each month. Moreover, an urgent appeal for Colombia has also been issued regularly: this appeal examines the situation of human rights defenders in the political context of a country where cases of violations concerning defenders are rampant.

Field missions

In addition to individual cases addressed as urgent appeals, the Observatory also holds missions of enquiry, missions of judicial observation and missions of solidarity.

Africa:

- Mission of enquiry in Cameroon (23 August- 1 September 2003); in Zimbabwe (27 August – 3 September 2003)
- Missions of solidarity in Mauritania, Ould Ebetty, delivery of the award of freedom at the European Parliament (29-30 January 2003)

Latin America:

• Mission of judicial observation in Brazil (22-23 May 2003), trial of the commanding officers who ordered the murder of Joao Canuto de Oliveira

Asia:

- Mission of enquiry in Bangladesh (August 2003); in Pakistan (7-19 October 2003)
- Mission of solidarity: two defenders came to Paris for meetings with the French authorities and the introduction of the report of the Observatory (April 2003)

Europe:

- Mission of enquiry in Belarus (18-26 October 2003); in Russia (December 2003)
- Missions of judiciary observation in Turkey : trial of the NGO GIYAV (Migration and Humanitarian Assistance Foundation) (26 February and 20 October 2003); trial of Dr Alp Ayan, a member of the Human Rights Foundation of Turkey (HRFT)

(24 April and 9 December 2003); trial of lawyers of the Diayrbakir Bar (5 December 2003)

Maghreb/Middle East:

- Mission of enquiry in Israel and the Occupied Territories (17-23 November 2003); in Lebanon (25-30 December 2003)
- Missions of judiciary observation in Egypt (4 February 2003), trial of Dr Saad Eddin Ibrahim, Director of Ibn Khaldun Centre for Development Studies; in Tunisia, trial of the Council of the Order (25 February 2003); trial of the Sfax Section of the Tunisian Ligue of Human Rights (LTDH) (26 February 2003); trial of Om Zied, journalist and founding member of the National Council for freedom in Tunisia (CNLT) (28 October and 18 November 2003); in Israel (11 March and 8 April 2003), trial of conscientious objectors; in Morocco (5-6 June and 10 June 2003), trial of Ali M'Lmrabet, journalist; in Israel (7-10 October 2003), trial of Jonathan Ben Artzi, conscientious objector in Jaffa; in Algeria (16 October 2003), trial of Dr Salah-eddine Sidhoum
- Mission of solidarity in Tunisia (7-10 November and 29-30 November 2003), support to Radia Nasraoui

Material assistance

In 2003, material assistance was granted to twelve human rights defenders from Cameroon, Colombia, Congo (Democratic Republic of Congo), Rwanda, Chad, Togo and Israel.

Mobilisation of Intergovernmental Institutions

In the framework of its activities for the promotion and strengthening of international and regional mechanisms of protection of defenders, the Observatory for the Protection of Human Rights Defenders intervenes namely with the United Nations, the Organisation of American States, the African Union, the Organization for Security and Cooperation in Europe and the European Union.

The Inter-American Commission on Human Rights

The Observatory carefully follows the activities of the "Defenders" Unit created within the Inter-American Commission in December 2001. The contribution of the Observatory to this unit involves the systematic transmission of urgent appeals, reports and interventions regarding the Americas region, as well as highlighting the obstacles faced by defenders. An OMCT staff member met the members of the Unit in March 2003 and offered a specific contribution for the report which will be published by the Unit at the end of the year. Moreover, the visit of this staff member in Washington also provided an opportunity for a meeting with the organising Committee of regional consultations on human rights defenders in Latin America and the Caribbean, a committee in which OMCT has participated since 2002.

59th session of the United Nations Commission on Human Rights

During the 59th session of the Commission on Human Rights, the Observatory followed not only the resolution on human rights defenders by taking part in preparatory meetings and meetings of the editing committee, but also the resolutions concerning the Democratic Republic of Congo and Zimbabwe, countries in which the "defenders" issue is particularly grave. In this respect, OMCT welcomed two Zimbabwean human rights defenders during two weeks at the International Secretariat; one is the Secretary General of the Zimbabwean Congress of Trade Unions (ZCTU) and the other is both the President of ZimRights and Director of Zimbabwe Lawyers for Human Rights. These NGO representatives did important lobbying work with the government delegations.

Staff members of the Observatory for the protection of human rights defenders cooperated actively with the Special Representative of the Secretary-General on human rights defenders, particularly by organising meetings with the assistants of the Special Representative and following these up with strategic meetings during closed sessions. This session of the Commission on Human Rights was, as every year, the opportunity to launch the annual report of the Observatory called "Human Rights Defenders on the Frontline" and a press conference was organised on this occasion.

Finally, in the context of the Commission, three other press conferences – on Malaysia, the Democratic Republic of Congo and Cameroon – were organised concerning the publication of reports of mission performed in 2002 and included human rights defenders.



ON/CT

African Commission on Human and People's Rights

In 2003, the Observatory for the Protection of Human Rights Defenders actively took part in the two sessions of the African Commission on Human and Peoples' Rights. Aside from the work done in order to create a mechanism on human rights defenders (see box), OMCT intervened concerning the situation of human rights defenders on the African continent and specifically in Zimbabwe. Moreover, several meetings with commissioners have been organized, during which the situation of defenders (in particular, women defenders and defenders of economic, social and cultural rights) were examined.

Organization for Security and Cooperation in Europe

During a meeting on the human dimension of the Organization for Security and Cooperation in Europe (OSCE) which took place from 6th to 17th October 2003, in Warsaw, the Observatory intervened on the situation of human rights defenders in the region, particularly concerning freedom of association, the arbitrary arrests and arbitrary detentions to which defenders are subjected, the judicial and administrative harassment of NGOs in some countries.

Commonwealth Human Rights Unit

From the 22nd to 23th of October 2003, in Colombo, Sri Lanka, the Commonwealth Human Rights Unit (Initiative) organised with the South Asian Human Rights Documentation Centre and the

Organisation of Lawyers for Human Rights and Development in Sri Lanka, a seminar in Colombo, Sri Lanka, on the United Nations Declaration on Human Rights Defenders. This seminar, the first one of this kind, gathered officials from Sri Lanka, members of the national human rights commissions and representatives of civil society from Bangladesh, India, Malaysia, Singapore and Sri Lanka as well as two representatives of the Observatory for the protection of human rights defenders.

European Union

On June 11th 2003, following a request made by the European Parliament, the Observatory took part in a hearing involving the Special Representative of the United Nations on Human Rights Defenders, called "Defending defenders". The purpose of this hearing was to define strategies for the protection of defenders. The Observatory had, notably, submitted a proposal concerning the establishment of a working group inside the European Parliament which would be in charge of this issue.

During its 34th Ordinary Session

held in Banjul, Gambia, from 6 to 20 November 2003, the African Commission on Human and Peoples' Rights established a focal point on human rights defenders and appointed Commissioner Jainaba Johm to head this focal point. The creation of this focal point is a genuine step forward, towards which the Observatory has been working for several years.

OMCT's Presence at International and Regional Meetings

UN Commission on Human Rights

One of the biggest human rights events of the year, the UN Commission on Human Rights serves as an important opportunity for OMCT to highlight its human rights concerns to Member States and lobby for more attention to be given to these various matters. In 2003, OMCT intervened at the Commission on Human Rights and lobbied the Member States of the Commission on a wide variety of themes and countries. Particular focus was placed on the negative effects of the war on terrorism on the protection of human rights, the right to reparation for victims of human rights violations, and the struggle against impunity.

Urgent appeals constitute the bedrock of OMCT's interventions in sessions of the United Nations Human Rights Commission. At the Commission's 59th session, OMCT intervened – under the agenda item devoted to widespread human rights violations wherever they occur – on the following countries: Burundi, the Democratic Republic of Congo (DRC), Iran, Nepal and Thailand.

The Children's Rights Programme at OMCT was particularly active at the Commission on Human Rights in 2003, as the Programme Manager is the convenor the NGO Group for the CRC. As such, OMCT coordinates the activities of the NGO Group and convenes the "Children Human Rights Caucus" at the Commission. In 2003, the Caucus held daily briefings with various guests and coordinated lobbying efforts and information on the different resolutions and negotiations where children were concerned. A full report on children's rights at the 2003 Commission on Human Rights was produced and widely disseminated in June 2003. The Children's Rights Programme also intervened to denounce trends witnessed through its urgent appeals throughout the year, in particular police brutality against children and violations of children's rights in terms of legal proceedings and protection in the context of juvenile justice, and to request the creation of a special mechanism on violence against children. On this occasion, OMCT up-dated its study on international mechanisms for the protection of children from violence and participated actively in the dialogue initiated between NGOs, UN agencies (UNICEF, WHO, UNHCHR) and the newly appointed independent expert on the UN Study on Violence Against Children. OMCT also held a round-table on the theme "Children and Torture" which included experts from varied backgrounds.

At the 59th session of the Commission on Human Rights, OMCT took part in a panel entitled "Violence Against Women, What Next ?", organised by the Committee on the Status of Women (Geneva). The former United Nations Special Rapporteur on Violence against Women, Mrs Radhika Coomaraswany also participated as a panellist. On this occasion, OMCT intervened on gender-based forms of torture, its causes and consequences.

In addition, the Violence against Women Programme involved itself in lobbying and intervening on the same topic during the Commission on Human Rights and urged the Commission to recognise the links between gender and torture and ill-treatment by ensuring that the gendered causes and consequences of torture and ill-treatment, were fully integrated within the torture resolution and that the prohibition of torture and ill-treatment was included in the resolution on violence against women.

OMCT's Programme on Economic, Social and Cultural Rights, in coalition with other organisations, played a crucial role towards the creation of an international complaints procedure for economic, social and cultural rights (ESC rights). As a result of these efforts, OMCT was pleased that the Commission decided to create an Open-Ended Working Group mandated with looking at possibilities regarding the establishment of such a procedure.

On the occasion of the Commission, the Observatory for the Protection of Human Rights Defenders, a joint OMCT and FIDH programme, also participated actively, following the negotiation of relevant resolutions and intervening on the issue of human rights defenders. In addition, the Observatory hosted two human rights defenders from Zimbabwe for two weeks during the Commission, allowing for particular concentration on the grave situation of human rights defenders in Zimbabwe.

Sub Commission for the Promotion and Protection of Human Rights

At the 55th Session of the UN Sub-Commission on the Protection and Promotion of Human Rights, OMCT, within the ambit of the Programme on Economic, Social and Cultural Rights, played an important role towards the adoption of the Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights. Throughout the process of developing this instrument, OMCT provided proposals to the experts of the Sub-Commission regarding the substance, content, scope and implementation of these norms. The adoption by the Sub-Commission in 2003 of

these norms constitutes a first and important step towards greater accountability of enterprises regarding the promotion and protection of all human rights.

Also at the Sub-Commission, the Violence Against Women Programme and the Children's Rights Programme made specific oral and written interventions.

Commission on the Status of Women

OMCT worked at the 47th Commission on the Status of Women (CSW) to lobby for strong agreement on the theme of violence against women. Despite much effort on the part of NGOs present at the CSW, the CSW was unable to adopt agreed conclusions on violence against women, due to the objection by certain countries to language prohibiting the invocation of custom or tradition in justifying violence against women.

International Labour Organisation

OMCT intervened on three occasions at the International Labour Conference of the ILO in June 2003.

In the plenary discussion on the global report "Time for equality at work", OMCT highlighted the issue of discrimination around the world: in many European countries regarding the Romas, in Turkey regarding the Kurds, in several countries of Latin America regarding indigenous peoples, in India regarding the Adivasis native people and the caste of the Dalits, and in Japan regarding the caste of the Burakus.

During the special session of the plenary dedicated to Israel and Palestine, OMCT raised concerns that the security measures of the Israeli government prevented the full enjoyment of the right to work for the Palestinians and also contributed, both directly and indirectly, to the impoverishment of the people in the territory.

OMCT was the first NGO to intervene before the Committee of Standards, speaking on the topic of forced labour in Burma (Myanmar), during the Committee's special session.

European Union

With a full time staff member in Brussels, OMCT follows the activities of the European Union closely, intervening on a wide variety of themes and countries.

In particular, OMCT participated in NGO consultations and in the European Union Human Rights Forum organised by the Italian Presidency on the issue of child protection in international law, notably to debate the new EU Guidelines on children in armed conflicts and plan their urgent implementation in the field.

On June 11th, 2003, at the invitation of the European Parliament, the Observatory participated in a meeting with the Special Representative of the United Nations on Human Rights Defenders, entitled "Defending the Defenders." The aim of this meeting was to define and outline strategies to effectively protect human rights defenders. The Observatory intervened to propose the establishment of a working group, under the auspices of the European Parliament, mandated with examining this question.

Organisation for Security and Cooperation in Europe

The Observatory for the Protection of Human Rights Defenders intervened at the meeting of the OSCE in October 2003 to underscore its concern for human rights defenders in the region, particularly with regard to the freedom of association, arbitrary detention, as well as judicial and administrative harassment of nongovernmental organisations. OMCT also participated in the OSCE Special Meeting on the Prevention of Torture and contributed to the review of measures taken and progress made by Member States in terms of procedural, administrative and legal rules aimed at preventing and investigating torture.
OM/CT

African Commission on Human and People's Rights

OMCT played a considerable role, in coordination with other NGOs, in lobbying at the 33rd and 34th ordinary sessions of the African Commission on Human and Peoples Rights (respectively in Niamey, Niger in May 2003 and Banjul, The Gambia in November 2003), for the establishment of a human rights defenders "focal point" within the Commission. Announced on November 20, the establishment of this focal point will enable the Commission to streamline and respond more effectively to information concerning human rights defenders in Africa and is an important step forward in developing the international protection of defenders in the region.

Furthermore, during the African Commission, the Urgent Appeals Programme intervened and highlighted its concerns with respect to the situations in: the DRC, notably in Bunia and Ituri in the eastern part of the country; and Sudan, particularly the region of Darfur.

Inter-American Commission

OMCT has actively supported a petition concerning a victim of the 1993 Candelária Street Children massacre in Brazil who is currently living in Switzerland. In 1993, he survived the Candelária street children massacre in which 8 street children and youths were killed by military police officers in Rio de Janeiro, Brazil. On the occasion of the massacre, the victim was shot three times but survived and became the main witness in the criminal cases against the police officers responsible. In December 1994, he was again the victim of an attempted exe-

cution by military police officers from the state of Rio de Janeiro who recognized him as a witness in the Candelaria cases. He was shot four times and once again survived. The policemen involved in the second attempt on his life were never identified or apprehended.

Attempts are being made to reach a friendly settlement that would ensure that the victim receives adequate reparation. An OMCT representative attended two hearings (in March and October 2003), at the Inter-American Commission on Human Rights, to participate in discussions on the friendly settlement procedure. In October 2003, the victim attended a hearing at the Commission in order to testify about his case.

World Trade Organisation

In recent years, OMCT has developed its work with the World Trade Organisation (WTO) in order to address the potential areas of conflict between trade liberalisation and human rights. This strategic decision stems from the observation that the process of globalisation might reinforce the vulnerability of certain groups to torture and other forms of ill treatment¹². With these concerns in mind, OMCT participated in the Fifth WTO Ministerial Conference, held in Cancun in September 2003. Among other issues, the following questions were at the centre of OMCT's work in Cancun: the impact of trade liberalisation on the enjoyment of human rights; finding concrete measures, other than conditionality, that ensure the respect of internationally recognised human rights; and the consequences of trade liberalisation on the most vulnerable sectors of society.

12. For more information see the 2003 activities of the Programme on Economic, Social and Cultural Rights

OMCT's general activities in 2003

COUNTRY	URGENT APPEALS BILATERAL COMMUNICATIONS	INTERVENTION BEFORE INTERNATIONAL AND REGIONAL	REPORTS TO UNITED NATIONS	URGENT ASSISTANCE TO VICTIMS
4.11	PRESSE RELEASES	MECHANISMS	COMMITTEES	OF TORTURE
Albania	X			
Algeria	х	Х	Х	
Angola		Х		
Argentina		Х		
Armenia	X	Х		
Azerbaijan	X	Х	Х	
Bahrain	Х			
Bangladesh	X	Х	Х	
Belarus	X	Х		
Belgium			Х	
Bolivia	X	Х		
Brazil	X	Х	Х	х
Burundi		Х		
Cambodia	Х	Х	Х	
Cameroon	Х	Х	Х	Х
Chad	х	х		х
Chile	Х	Х		
China (People's Republic of)	Х			
Colombia	Х	Х	Х	Х
Congo (Democratic Republic of)	Х	Х	х	Х
Congo-Brazzaville	Х			
Costa-Rica			х	
Croatia	Х			
Cuba	Х			
Dominican Republic	Х			
Ecuador	Х	х		
Egypt	Х	Х	Х	
El Salvador	х	х		
Eritrea			Х	
Estonia		х	X	
Ethiopia		X	X	
France		A	X	
Gambia	Х			
Georgia	X			
Greece	X	Х		
Guatemala	X	X		
Guinea-Bissau	X	X		
Honduras	X	X		
India				
	X	X		
Indonesia	X	X		
Iran	X	Х		X
Iraq	х			
Israel and the Occupied Territories	Х	Х	Х	
Ivory Coast				
Kazakhstan	Х	Х		
Kenya		Х	Х	
Korea (Republic of)	X			
Kyrgyzstan	Х	Х		
Laos	Х			
Lebanon	х		Х	
Liberia		Х		

COUNTRY	URGENT APPEALS BILATERAL COMMUNICATIONS	INTERVENTION BEFORE INTERNATIONAL AND REGIONAL	REPORTS TO UNITED NATIONS	URGENT ASSISTANCE TO VICTIMS
	PRESSE RELEASES	MECHANISMS	COMMITTEES	OF TORTURE
Libya			Х	Х
Malaysia	Х	Х	X	А
Mali			X	
Mauritania	Х	Х	х	
Mexico	Х	Х		Х
Moldova	х		х	
Mongolia	Х			
Morocco	х	Х	х	
Myanmar	Х			
Nepal	Х	Х		
Nicaragua		Х		
Nigeria	х	Х		
Pakistan	X		Х	
Paraguay	Х	Х		
Peru	Х			
Philippines	X	Х		
Poland		Х		
Russia (the Federation of)	X	Х	Х	
Rwanda Saudi Arabia	X	Х		X
Senegal	X	Х		
Serbia & Montenegro (F.R. Yugoslavia	X			
Sierra Leone) x			х
Singapore	х			X
Spain	X			
Sri Lanka	X	х	Х	х
Sudan	X	X	X	X
Syrian Arab Republic	x		~	
Tajikistan	X			
Tanzania		Х		
Thailand	Х	Х		
Togo	Х	Х		х
Tunisia	Х	Х	Х	Х
Turkey	х	Х	х	Х
Turkmenistan	Х	Х		
Uganda		Х		
United Kingdom		Х	Х	
United States	Х	Х		
Uruguay		Х		
Uzbekistan	Х	Х		
Venezuela	X	Х		
Vietnam	X			
Yemen		Х		
Zimbabwe	Х	Х	Х	

Urgent Campaigns

			- ·	gns programme	Children's Pr	·	Women's Program			programme		rogramm*	Arbitrary Arres			
Country	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals N°	of Victims	N°of Appeals N°of V	ictims	N °of Appeals	N° of Victims	N° of Appeals	s N° of Victims	N° of Appeals	N° of Victims	N° of Appeal	s N° of Vic
Albania	1	1	1	1												
Algeria	4 + 3pr	14							4 + 3pr	14			2 + 1pr	7		
Armenia	1bc	1 + 1 org							1bc	1 + 1 org			1bc	1		
Azerbaijan	14	187 + 6gp + 2org	9	162 + 5gp + 1org					4	24 + 1org	1	1 + 1gp	9	93 + 2gp	2	2
Bahrain	1bc	15	1bc	15											1bc	15
Bangladesh	5 + 2bc	84 + 5gp	2	46 + 4gp			3 + 1bc	10			1bc	28 + 1gp	1	44 + 1gp	1	44 + 1g
Belarus	1bc + 2pr	2 + 9org							1bc + 2pr	2 + 9org			1bc + 1pr	2		
Bolivia	4 + 1pr	171 + 4gp + 1org	1pr	2gp					2	1 + 1org	2	170 + 2gp	1	165		
Brazil	7 + 1bc + 1pr	42 + 3gp + 2org	3 + 1bc	21 + 3gp					2 + 1pr	5 + 2org	2	16	1	1	1	1gp
Cambodia	1	1 + 1gp									1	1 + 1gp	1	34		
Cameroon	4 + 2bc	29 + 1gp	1 + 1bc	9 + 1gp	1	13			2 + 1bc	7			2 + 2bc	5		
Chad	1 + 1bc + 2pr	3 + 1 org							1 + 1bc + 2pr	3 + 1org			1bc	1		
Chile	1 + 1pr	12 + 3gp	1 + 1pr	12 + 3gp									1	10		
China (People's Republic of)	20 + 3bc	65 + 6gp	11 + 1bc	37 + 3gp					6 + 1bc	13	3 + 1bc	15 + 3gp	16 + 3bc	48	3 + 1bc	11
Colombia	38 + 2bc + 2pr	211 + 17gp	21	155 + 13gp			3	3	10 + 1bc + 2pr	33 + 2gp	4 + 1bc	20 + 2gp	6 + 2bc	67 + 7gp		
Congo (Dem. Republic of)	10 + 2bc + 4pr	313 + 4gp	6 + 2bc + 2pr	296 + 4gp	2	6			2 + 2pr	11			3 + 1bc + 1pr		1 + 1bc	20 + 1g
Congo-Brazzaville	1 + 1bc	11							1 + 1bc	11			1 + 1bc	10		
Croatia	1bc	2							1bc	2						
Cuba	1 + 1pr	8 + 1gp							1 + 1pr	8 + 1gp			1	78		
Dominican Republic	1bc	1gp									1bc	1gp				
Ecuador	4	6 + 2gp	3	6 + 1gp					1	1gp						
Egypt	18 + 2bc + 2pr	139 + 2gp + 2org	15	132 + 1gp	1	2	1	4	2bc + 2pr	1 + 2org	1	1gp	14 + 1bc	123 + 1gp	3	7
El Salvador	1	lorg							1	lorg						
Gambia	1bc	1							1bc	1						
Georgia	1 + 1bc	3 + 2gp + 1org							1 + 1bc	3 + 2gp + 1org			1 + 1bc	2		
Greece	19 + 1bc + 1pr	304 + 10gp	5 + 1pr	210 + 6gp	6	17	3	1			5 +1bc	76 + 4gp	5	71 + 2gp		
Guatemala	9 + 1bc + 3pr	16 + 8gp + 3org	1 + 2pr	2 + 2gp					5 +1bc +1pr	12 +2gp +3org	3	2 + 4gp				
Guinea-Bissau	2	2		01					2	2		01	1	1		
Honduras	6	9 + 3gp + 1org	2	1 + 1gp	1	1gp			2	7 + 1org	1	1 + 1gp				
India	21 + 2bc	1480 + 8gp + 10rg	8 + 1bc	1194	1	1			2	3 + 1org	10 + 1bc	282 + 8gp	8 + 1bc	524 + 1gp		
Indonesia	6 + 2bc + 3pr	38 + 9gp + 7org	1 +1bc + 2pr	30 + 7gp + 3org			2	1	2 + 1pr	7 + 4org	1 + 1bc	2gp	1 + 1pr	14		
Iran	9 + 1bc	113 + 1gp	2 + 1bc	103 + 1gp	1	1		3	5	6		01	6	56 + 1gp		
Iraq	1pr	1gp	1pr	1gp										51		
Israel			1	01												
and the Occupied Territories	23 + 2bc + 9pr	83 + 13gp + 1org	13 + 2bc + 3pr	38 + 5gp	5 + 1bc	10 + 3gp			2 + 5pr	19 + 3gp + 1org	3	16 + 2gp	11 + 2bc + 3p	r 27 + 4gp	9 + 2bc	19 + 1
Kazakhstan	2	4	1		1	3			1	1		51	1	51		
Korea (Republic of)	1	1	1	1		5							1	1		
Kyrgyzstan	12 + 2bc	85 + 3gp + 3org	8 + 2bc	79 + 3gp			1	2	3	4 + 3org			7 + 1bc	71 + 1gp	5 + 1bc	29

*ESCR: Economic, Social and Cultural Rights gp = group of persons affected by violations of human rights / org = non-governmental organisations affected by violations of human rights / bc = bilateral communication / pr = press release

Ill-tı	reatment	To	orture	Forced Di	sappearances	Custodial	Deaths	Vio	lent Attacks	Extra-judici	al Executions	Deat	h Penalty	Threats an	d Harassment	Refoulemen	nt and Evictions	Rele	eases
N°of Appeal	s N°of Victims	N°of Appeal	s N°of Victims	N°of Appeal	s N°of Victims	N °of Appeals	N °of Victims	N° of App	eals N° of Victims	N° of Appeals	N °of Victims	N° of Appeals	s N° of Victims	N° of Appeals	N° of Victims	N° of Appeal	s N° of Victims	N° of Appeals	N° of Victimss
		1	1							1	1								
1pr	1																	1pr	1
r																		1bc	1
4	58 + 1gp	1	1	1	1			4	68 + 5gp	2	2			4	10			3	21
1bc	15		-		-				00 1 0 Br	_	_							-	
100	10	1	44 + 1gp			1	44	1 + 1bc	22 + 2gp	2	45			0 + 1bc	2				
		1	44 + Igp			1		1 + 100	22 + 2gp	2	-1-5			0 + 100	2				
										1 + 1pr	2 + 1 an			1	1				
1 . 11	0.5	0.11	14 - 1			1	1	1	1	1 + 1pr	2 + 1gp								
1 + 1bc	8 + 5gp	2 + 1bc	14 + 1gp			1	1	1	1gp					4	6 + 1gp + 2org				
1	13									1bc	1			2	11				
1	10									1	2			1	10 + 1gp			1	10
5	10		6 + 1gp	1bc	4	1bc	1gp					1bc	2	1 + 1bc	2 + 1gp	1	1gp	1 + 1bc	3
3	8		4 + 1gp		45 + 1gp			5 + 2bc	9 + 3gp	8	13			23 + 1bc + 2pr	25 + 8gp + 4org	1bc	1gp	3	4
1 + 1bc	21 + 1gp	2 + 2bc	18	1bc + 1pr	29	1	1			3	34	3 + 1pr	127 + 1gp					3 + 1pr	58
		1	8											1bc	1				
														0					
								1pr	1gp										
																1bc	1gp		
														2	6				
6	14 + 2gp	7	31	1	1	2	2							2	2			5 + 1bc + 1pr	46
								1bc	1										
5	168 + 3gp	2	4	2	10	1	1			1 + 1pr	2			3	54 + 1gp	1	3	2	49
								4 + 1bc	3 + 1gp + 1org					7 + 1bc + 1pr	11 + 4gp + 1org				
														1	1				
								4	2 + 1gp + 1org	2	1 + 1gp			4	6 + 1gp				
1 + 2bc	298 + 2gp	9	19	2 + 1bc	234 + 1gp	5	5	1	1 + 1gp	3 + 1bc	206			3 + 1bc	4 + 1gp	6 + 1bc	400 + 5gp	2	12
1pr	4	1bc + 1pr	2gp	2 + 2pr	4			3 + 2pr	9 + 1gp + 6org	1bc + 2pr	2 + 3gp			2 + 1pr	5 + 1gp + 5org			1	1
1	1	2 + 1bc	6						<i></i>	1 + 1bc	3	3	49	1	1	1bc	2		
								1pr	1gp										
								r	or										
12 + 2bc	22 + 3gp	9 + 2bc	20 + 2gp			1	1	1 + 1pr	5 + 1org	3 + 3pr	12 + 5gp			5 + 2bc + 1pr	12 + 2gp				
1	3	1	3						0		51			r	01				
1	5	1	5																
2	17	1bc	1gp	1	1	1bc	1gp			1	4			3 + 1bc	6 + 1org				
2	17	100	16P	1	1	100	15P				т			5 1 100	0 1 101g				

OMCT's urgent appeals also concerned groups that comprise a total of around 232'000 persons in 2003

Urgent Campaigns

			Urgent Campaig	ns programme	Children's l	Programme	Women's Pro	ogramme	Defenders	programme	ESCRP	rogramm*	Arbitrary Arrest	s + Detention	Incommur	icado Detention
Country	N° of Appeals	N° of Victims	N° of Appeals		N°of Appeals					N° of Victims		N° of Victims				als N° of Victims
Laos	lbc	1gp	I I I I		11		11		1bc	1gp			1bc	1gp		
Lebanon	1 + 1bc + 1pr	2 + 1org							1 + 1bc + 1pr	2 + 1 org			1 + 1pr	2		
Malaysia	11 + 4bc + 3pr	64 + 7gp + 1org	8 + 2bc + 2pr	51 + 5gp	1	3 + 1gp			2bc + 1pr	2 + 1org	2	8 + 1gp	6 + 2bc	36 + 2gp	3 + 1bc	23 + 1gp
Mauritania	8	186 + 3gp	7	185 + 3gp					1	1			5	56 + 1gp	3	18 + 1gp
Mexico	19	69 + 1gp + 2org	14	61 + 1gp					5	8 + 2org			4	11 + 1gp		
Moldova	1	1			1	1							1	1		
Mongolia	1	38									1	38				
Morocco	5 + 3bc + 4pr	16 + 1gp + 2org	1bc + 1pr	1 + 1gp					5 + 2bc + 3pr	15 + 2org			1 + 1bc	2		
Myanmar	3	3 + 1gp	2	2 + 1gp							1	1	2	2	1	1
Nepal	19	44	13	35	3	4	2	4	1	1			11	32	7	18
Nigeria	3	1gp + 1org					2	0	1	1gp + 1org						
Pakistan	4	4	2	2	1	1			1	1						
Paraguay	2	6 + 2gp	1	6 + 1gp							1	1gp	1	26		
Peru	4 + 1pr	3 + 3gp + 1org	1pr	1 + 1gp	1	1gp			2	2 + 1org	1	1gp	1pr	1gp		
Philippines	17 + 5bc	240 + 5gp	5 + 1bc	90 + 2gp	9 + 2pr	21					3 + 2bc	129 + 3gp	9 + 1bc	88	2	5
Russia (the Federation of)	4 + 2pr	15	3	11	1	2					2pr	2				
Rwanda	5 + 2pr	5 + 6org	1	1					4 + 2pr	4 + 6org					1	1
Saudi Arabia	1	1	1	1												
Senegal	2bc	2	1bc	1					1bc	1			1bc	1		
Serbia & Montenegro																
(F.R. Yugoslavia)	5 + 1bc	6	3 + 1bc	5	1	1					1	11	3 + 1bc	5		
Singapore	2	1	2	1												
Spain	2	27	1	10	1	17							1	10		
Sri Lanka	31 + 5bc	55 + 8gp	22 + 4bc	40 + 6gp	7	14 + 1gp	2	1			1bc	1gp	19 + 3bc	36	4	4
Sudan	36	380 + 6gp	28	335	4	4 + 1gp	3	40	1	1			23	124 + 2gp	12	49 + 1gp
Syrian Arab Republic	0	11 + 2org							2pr	11 + 2org			1pr	9		
Tajikistan	1bc	1	1bc	1									1bc	1	1bc	1
Thailand	6	432 + 3gp + 1org	2	11 + 3gp			2	1	1	1 org	1	420	2	11 + 1gp		
Togo	1 + 1bc	2 + 1 org	1bc	2					1	1org						
Tunisia	9 + 2bc + 12pr	31 + 4gp + 2org	4 + 1bc + 3pr	11 + 1gp	2	1 + 1gp			3 + 1bc + 9pr	19 + 2gp + 2org			5 + 1bc + 1pr	18	1	1
Turkey	6 + 3bc + 9pr	151 + 1gp + 4org	1 + 3bc + 1pr	141 + 1gp			2	1	2 + 8pr	8 + 4org	1	1	1 + 1pr	4 + 1gp	1bc	1
Turkmenistan	9	32 + 4gp	5	28 + 3gp	1	1 + 1gp	1	2	1	1	1	0	4	23 + 1 gp	2	5
United States	8 + 1bc + 1pr	19 + 4gp		1gp	2 + 1bc	5 + 1gp	1	1	5 + 1bc	13 + 2gp						
Uzbekistan	11 + 1pr	62 + 2gp + 1org	6 + 1pr	49 + 1gp	1	1	2	8 + 1gp	2	4 + 1 org			10 + 1bc	59	2	2
Venezuela	6	26 + 3gp	2	10 + 1gp	2	3 + 2gp			2	13			2	2		
Vietnam	1	2	1	2									2	13	1	1
Zimbabwe	1 + 1pr	13 + 1gp	1pr	1					1	1 + 1gp	0	0	1	1gp		
Totals	487+64bc+75pr	5405+175gp+61org	247+23bc+29pr	3644+103gp+4org	57+2bc+2pr	132+13gp	31+1bc	82+1gp	102+22bc+48pr	309+18gp+57org	50+10bc+2p	r 1238+40gp	214+12pr+31bc	2060+33gp	64+9pr	277+7gp

*ESCR: Economic, Social and Cultural Rights gp = group of persons affected by violations of human rights / org = non-governmental organisations affected by violations of human rights / bc = bilateral communication / pr = press release

Ill-tr	eatment	Tor	ture	Forced Dis	appearances	Custodial	Deaths	Violer	nt Attacks	Extra-judicial	Executions	Dea	th Penalty	Threats and	Harassment	Refoulement	and Evictions	Rele	eases
N° Appeals	N° Victims	N°of Appeals	s N°of Victims	N°of Appeals	N°of Victims	N of Appeals N	N° of Victims	N° of Appea	ls N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims
2	11			1bc	8	1	1	1	1gp							1 + 1bc + 2pt	10 + 3gp	4	9
		2	24 + 1gp			1	1							1	8			3	11 + 1gp
3	34			6	11					2	2			6	18 + 2org				
1	1	1	1											1	1				
																1	38		
		1bc	1					1pr	1gp					1	1				
		1	1															1	1 + 1gp
7	21	9	22	3	5			2	3	1	1			1	2			2	4
												1	1	1	1gp			1	1
		2	2	1	1	2	2			1	1	1	1	1	1				
1	5							1	1gp	1	1							1	26
								1	1 org	1pr	1			2	2				
3	3 + 1gp	6 + 1bc	13					4	122	6 + 2bc	21			2 + 2bc	1 + 3gp	1	115	2	69
1pr	1	1	1					3 + 2pr	6 + 3org	1	7			2 + 1pr	4 + 4org			2	2
				1	1														
												1	1						
												1bc	1			1bc	1		
3	4	2 + 1bc	4											1	1			1	1
												1	1						
1	10															1	17	1	3
7 + 1bc	13	20 + 2bc	30	2	2	4	5	2	5	2 + 1bc	3			8 + 2bc	10 + 173gp			9 + 1bc	11
7	50 + 1gp	17	63 + 2gp	1	1	1	1	1	53	1	1	6	82					8	14
														2pr	2				
										1	1gp					2	433		
								1bc	1					1 + 1bc	2 + 1 org				
		2 + 1pr	7 + 1gp					1	2					2pr	2			1pr	1
1bc	1 + 1gp	1	1			1bc	131							2	2	1bc	1		
2	2	5	6			2	3	1	1					4	7 + 2gp	1	1gp		
1pr	3 + 1gp	2pr	3 + 2gp									1 + 1pr	2 + 1gp						
4	21 + 1gp	4	7			1	1			1	1			3 + 1bc	5				
3	3 + 1gp	1	1	1	1			2	9 + 1gp	3	8			3	2 + 2gp + 1org				
1	1																		
		1pr	1					1	1										
89+9bc+4pr	855+23gp	117+15bc+5p	r 367+15gp	40+5bc+3pr	359+2gp	24+3bc	200+2gp	44+8pr+6bc	322+21gp+13org	49+7bc+8pr	377+11gp	17+2bc+2pr	267+2gp	109+15bc+10pr	247+202gp+21org	15+7bc+2pr	1020+12gp	56+4bc+4pr	359+2gp

OMCT's urgent appeals also concerned groups that comprise a total of around 232'000 persons in 2003

Urgent Assistance to Victims of Torture

Countries	Number of cases	Number of victims
Brazil	2	2
Cameroon	4	3 + collectif *
Chad	4	6
Colombia	8	25
Congo, (Dem. Rep)	16	36
Egypt	1	1
El Salvador	1	4
Iran	2	4
Libya	1	1
Mexico	1	1
Rwanda	1	10
Sierra Leone	2	5
Sudan	1	1
Sri Lanka	1	1
Togo	5	5
Tunisia	3	5
Turkey	8	8
TOTAL: 17 countries	61	118 + 1 collective case

 Cases of collective assistance are not taken into consideration within the total number of individual victims.

Publications 2003

Children's Rights Programme

• Rights of the Child in Pakistan, OMCT alternative report to the UN Committee on the Rights of the Child, 2003, available in English and Spanish

• Rights of the Child in Georgia, OMCT alternative report to the UN Committee on the Rights of the Child, 2003, available in English and Spanish

- Rights of the Child in Bangladesh, OMCT alternative report to the UN Committee on the Rights of the Child, 2003, available in English
- Rights of the Child in Madagascar, OMCT alternative report to the UN Committee on the Rights of the Child, 2003, available in English
- Children's rights at the 2003 Commission on Human Rights, Children's human Rights Caucus report, NGO Group for the CRC under the coordination of OMCT.

None of these reports have been published, but they are available on the OMCT website.

Violence Against Women Programme

4 published reports

• Violence Against Women in Kenya: Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by Kenya, 2003, available in English

• Violence Against Women in Costa Rica: Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by Costa Rica, 2003, available in English

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• Violence Against Women in Morocco: Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by Morocco, 2003, available in English

• Violence Against Women in France: Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by France, 2003, available in English

Publications (to be published in 2004)

Violence Against Women: 10 reports to other Committees, year 2003:

- Violence Against Women in Mali (March 2003)
- Violence Against Women in Estonia (March 2003)
- Violence Against Women in Turkey (May 2003)
- Violence Against Women in Brazil (May 2003)
- Violence Against Women in Eritrea (May 2003)
- Violence Against Women in United Kingdom (August 2003)
- Violence Against Women in Bangladesh (Sept/Oct 2003)
- Violence Against Women in Russia (Nov 2003)
- Violence Against Women in Cameroon (Nov. 2003)
- Violence Against Women in Colombia (Nov 2003)

Economic, Social and Cultural Rights programe

These reports are only available in English:

• OMCT, The Norms and Commentary on the Responsibility of Transnational Corporations and Other Business Enterprises with Regard to Human Rights: OMCT's Comments and Recommendations, January 2003, 19 p. (The report is available on OMCT's website: www.omct.org)

- OMCT and HRA, House Demolitions and Forced Evictions perpetrated by the Turkish Security Forces: A Form of Cruel, Inhuman or Degrading Treatment or Punishment against the Kurdish Population: Notes presented to the Committee against Torture (CAT) by OMCT and HRA, May 2003, 38 p. (The report is available on OMCT's website: www.omct.org)
- OMCT and others, 'Compilation of Economic, Social and Cultural Rights Conditions of the Indigenous Palestinian People under Israel's Effective Jurisdiction and Control', May 2003, 87 p. (The report is available on OMCT's website: www.omct.org)
- OMCT, Chechnya: No Means to Live, An Appraisal of Violations of Economic, Social and Cultural Rights in Chechnya, November 2003, 47 p. (The report is available on OMCT's website: www.omct.org)

Special Procedures Programme

To be printed In 2004

- The state violence in Morrocco: an alternative report submitted to the CAT (The report is available on OMCT's website : www.omct.org)
- The state violence in Colombia: an alternative report submitted to the CAT (The report is available on OMCT's website : www.omct.org)
- The state violence in Philippines: an alternative report submitted to the HRC (The report is available on OMCT's website : www.omct.org)
- The state violence in Sri Lanka: an alternative report submitted to the HRC (The report is available on OMCT's website: www.omct.org)

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Vice-presidents

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Mohammad Abu-Harthieh, *Palestine* Hassan Moosa, *Bahrain* Radhia Nasraoui, *Tunisia* Lea Tsemel, *Israel*

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The International Secretariat

Director

Eric Sottas

Deputy director Anne-Laurence Lacroix Victims Programme

Legal advisers Isabel Ricupero (from september 2003)

Sylvain Vité (from september 2003)

Project officers

Clemencia Devia Suarez Joanna Bourke Lucinda S. O'Hanlon Meghna Abraham

Mission implementers Carole Argand Christine Ferrier Programme managers Carin Benninger-Budel Violence Against Women's Programme

Nathalie Mivelaz Economic, Social and Cultural Rights Programme

Michael Anthony Urgent Campaigns Programme

Laurence Cuny Human Rights Defenders Programme (until august 2003)

Isabel Ricupero Special Procedures Programme (until august 2003)

Séverine Jacomy Childrens Rights Programme

Patrick Mützenberg Special Procedures Programme (from september 2003)

Inmaculada Barcia Human Rights Defenders Programme (from december 2003)

Administration Annik Malburet Kifle Araia Librarian Pierre-Maurice Rolli



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Annex 1

BALANCE SHEET AS OF 31 DECEMBER 2003

Assets Cash funds Postal cheque account Banks			CHF 5'795.40 16'916.42 1'184'586.36 1'207'298.18
Contributions Costs paid in advance			164'070.25 68'665.46 1'440'033.89
LIABILITIES Creditors Other liabilities Provision for specific activities Deffered income			49'949.25 455'447.57 505'396.82 325'000.00 664'609.87
<u>NET BALANCE</u> Surplus expenditure 2003 Balance brought forward	CHF CHF	57'714.35 (2'741.55)	- 54'972,80



Annex 2

STATEMENT OF INCOME AND EXPENDITURE AS OF 31 DECEMBER 2003 - YEAR 2003

COME		2'794'145.89
Federal grants	150'000.00	
Grants from the State of Geneva	150'000.00	
Grants from the City of Geneva	18'000.00	
Cantonal grants	4'000.00	
Grants from swiss communes and towns	19'650.00	
Grants from European governments	395'994.67	
Grants from foundations and others	44'265.00	
Network membership fees	9'950.08	
Donations from "Club des Cent"	78'308.80	
Private donations	23'825.85	
Sale of bulletins, fees, special events	223'950.86	
Grants for Torture Victims Programme	174'789.82	
Grants for Children's Programme	112'730.56	
Grants for Women's Programme	373'215.67	
Grants for Human Rights Defenders' Programme	208'223.63	
Grants for Democratisation (ESCR) Programme	137'758.93	
Grants Special Procedures Programme	279'157.17	
Grants for Urgent Campaigns Programme	380'703.40	
Grants for Training Programme	9'621.45	
KPENSES		-2'869'884.5
Extensions / Development of the network	176'388.04	
Support events	19'183.76	
Assistance to Victims Programme	246'471.42	
Children's Programme	244'695.65	
Women's Programme	467'160.79	
Human Rights Defenders' Programme	301'774.60	
Democratisation (ESCR) Programme	371'247.52	
Special Procedures Programme	399'162.93	
Urgent Campaigns Programme	397'217.10	
Training Programme	28'009.16	
Racism Programme	0.00	
Promotion	93'026.73	
Special and unforeseen events	125'546.87	
ESULTS BEFORE CREDIT INTEREST AND OTHER INCOME		- 75'738.6
REDIT INTEREST AND OTHER INCOME		18'024.3
Credit interest	14'286.95	
Other income	3'737.38	
EFICIT		- 57'714.3

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