

2013 Annual Report

World Organisation Against Torture

Nothing can justify torture under any circumstances

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Foreword by the President

A CULTURE OF SOLIDARITY AGAINST TORTURE



On October 9, 2013, the National Constituent Assembly of Tunisia adopted an organic law creating the National Forum for the Prevention of Torture (Law No. 43 of 2013). This is the first time that a country from the Middle East and North Africa has established under law a national mechanism for the prevention of torture. This

success story for Tunisia is also a success story for OMCT which has accompanied the process to draft the law from the initial idea to its adoption: OMCT has shared its expertise, mobilized Tunisian NGOs defending human rights, and supported dialogue between these organizations, the Constituent Assembly and the Government. The fact that after the vote, the Chair of the Commission on rights, freedoms and external relations, Ms. Souad Abderrahim, mentioned and thanked OMCT along with the Tunisian associations for their contribution, is for us a source of pride. This example and others we experienced in 2013 encourages us to continue working with the SOS-Torture Network to intensify our dialogue with governments.

What is certain is that OMCT will continue to work with Network members to respond to requests they submit to us related to the prevention of torture, to support those who are threatened, to help victims reintegrate into everyday life, and to fight against impunity. In addition, as in Tunisia, OMCT is also working with local organizations fighting against torture, to develop methods and build instruments in response

to different emerging trends: countries which are building democracy by freeing themselves from the yoke of authoritarian regimes where torture is deeply-rooted in institutions responsible for enforcing law and order; countries which are sinking into increasing human rights repression and where torture is a common practice used to intimidate and silence any criticism; and countries experiencing civil war or anarchy. The work carried out by OMCT in a number of countries with different characteristics, will provide us with a range of methods, tools and references enabling us to offer relevant and effective support to local organizations struggling against torture.

Local action is indeed essential to the fight against torture and inhuman and degrading treatment, and it is local organizations who best understand the forces at work, know the people in the political, judicial, military, police and media systems, and know how to approach them. This was the intuition of those who, almost thirty years ago now, started the SOS-Torture Network and created OMCT to support its work. In the coming months, OMCT will strengthen this

network not by extending it, but rather by promoting its most active elements and establishing a culture of cooperation to forge coalitions for the national and regional implementation of the conventions and recommendations of the Committee against Torture (CAT). This could be cooperation between organizations from the same country, whether or not they are members of the Network, to defend a cause or victim; or cooperation between organizations from different countries to exchange experiences and methods.

We are building a culture of cooperation and a culture of solidarity between organizations. Statements of support, emergency actions and meetings with the authorities do not always change the fate of victims of torture, but they do provide moral support both for the victims and the organizations that defend them. The communications received by OMCT from all countries are signs of the need for this solidarity network.

Yves Berthelot
OMCT President

Introduction by the Secretary-General

OMCT: A GLOBAL MOVEMENT SUPPORTING LOCAL CHANGE



How we make an impact

"Nothing can justify torture under any circumstance" recalls the global OMCT campaign against torture conducted over the last three years in partnership with network members across the globe.

The law could not be any clearer. In fact universal consensus is far from theoretical. It is mirrored across regions, cultures and religions, and lived daily in our work with partners across the world.

Yet torture remains common and often I am asked about the impact OMCT is having and whether it is not too depressing to work on such a dire topic?

The answer to the first question is not easy conscious of the need to account for public and private donor contributions. But it cannot always be answered in a linear and simplistic fashion. For example, I am convinced that we have to raise our voice on torture or when a human rights defender is attacked even if it

may not always be an immediate change in side. Upholding values we believe in and solidarity to victims and human rights defenders remains important.

Not to do so would be failing our cause as anti-torture movement.

The question of impact is one of approach. As a lawyer by background I believe that the law matters and that it has to have a protective reach. But a *'the law is the law'* approach is in itself insufficient to achieve change.

A standard without implementation is a fig leaf and national institutions supposed to work on torture while lacking independence, resources and political backing in an environment in which anti-torture activists are harassed gives too easily a false façade of progress. Much more is thus needed to work on the domestic implementation of international standards.

The OMCT engages states and their authorities in a critical dialogue on legal and policy changes daily in support of domestic partners. This constructive engagement is fundamentally important and the adoption in Tunisia of the first ever law on the prevention of torture in North Africa and the Middle East because of the OMCT is but one example mentioned in this annual report.

The key to lasting success is to anchor the fight against torture locally within society through the mobilization of local civil society. This approach is at the essence of the global SOS torture network of the OMCT. It reflects that we achieve lasting impact if we enable, mobilize and accompany local actors, including in the south, and protect them when threatened because of their anti-torture work.

Ultimately this theory of change results in concrete impact and change as the Annual Report 2013 documents.

Driving the Convention Against Torture home

The approach described goes through all our programming.

Standards matter when they impact the reality on the ground. The Convention Against Torture provides a blueprint for states wishing to eradicate torture and a basis to mobilize civil society as key constituency. For more than twenty years we have worked with partners around the world on its domestic realization.

The Convention provides crucially important enforcement mechanism towards the UN Committee Against Torture. The OMCT uses this process as an entry to engage states on their record of implementation. But the process makes only sense if local civil society is able to access, master and use the procedure, and work subsequently on securing the realization of its recommendations.

If not for the information provided by civil society the experts would be unable to conduct a credible evaluation with meaningful recommendations. If not for a mobilized civil society there would be little incentive for state to disseminate the findings and engage in a process of follow-up implementation. Often it is also specialized civil society expertise built by OMCT that is decisive to implement constructive reforms of the justice or prison system. In turn a mobilized civil society uses the Committee Against Torture to trigger change making a difference.

This annual report provides a number of such examples in illustration ranging from anti-torture reforms in Togo, Mexico or Paraguay, or again in Asia in the Philippines all influenced through our work towards the Convention Against Torture and our litigation support to victims of torture. But one illustration of the impact of our joint advocacy is the decision

of the Attorney General of Kenya made in a meeting with in October to submit a long awaited torture prevention law – co-drafted by our members - to parliament in early 2014.

2013 has been an important year as we have committed to a new global innovative role at the request of our network. We will coordinate and mobilize civil society access and effective use of this mechanism in close cooperation with the Committee Against Torture and its Secretariat. This means that we increase the number of organizations enabled to attend, provide mentoring to them to be effective, and work to make the reviews known locally in the media. Fundamentally we will systematically support our partners in conducting follow-up advocacy to drive the recommendations home.

It is about time after 30 years

I still owe you the answer to the second question raised above. Yes torture is an egregious human rights violation and the fact that it is committed in the name of the state makes things worse.

And true, it is tough to deal with this type of violation especially when working in difficult environments around the world, such as Libya. But no - working on this cause is not depressing. Working with activists who have the courage to confront human rights violations under personal threats and being able to give them support is far more motivating and rewarding. Ultimately, the driving feeling is one of motivation. I am encouraged because I know: together we can make a difference!

Let us then work as one global movement supporting local actors to drive home the Convention Against Torture. Thirty years after its adoption it is about time!

Gerald Staberock
Secretary-General

COMING TO THE AID OF VICTIMS OF TORTURE AND ILL-TREATMENT AND PROTECTING HUMAN RIGHTS DEFENDERS

Emergency assistance to victims of torture – comprehensive support

“ We have just received a positive asylum decision for (...), and this is fantastic news! I would like to warmly thank the OMCT who have offered us considerable support throughout the process. This has undoubtedly contributed to the successful outcome of this case. ”

Advisor on asylum procedure
Protestant Social Centre,
Neuchâtel, Switzerland

For OMCT, emergency aid to victims of torture is an integral part of the struggle for the respect of human rights. It is not only a humanitarian measure to relieve individual suffering. It is essential that the victim recovers their health, and it is equally important that they can reintegrate into society and obtain redress. Our approach to rehabilitation is therefore comprehensive and, according to this principle, victims supported by OMCT in 2013 benefited from **multidisciplinary assistance, including medical, legal and social aspects, according to their needs.**

In the East of the Democratic Republic of Congo (DRC), for example, OMCT funds medical costs, therapy and school fees for girls in Goma who have suffered sexual violence, in order to facilitate their social reintegration. Thanks to the financial support of the Swiss Agency for Development and Cooperation (SDC) and the City of Geneva, the OMCT has also supported the construction of a **“Women’s House” in Goma, DRC**, in collaboration with the local NGO “Women’s Synergy for Victims of Sexual Violence” (*Synergie des Femmes pour les Victimes des Violences Sexuelles - SFVS*), a member of the SOS-Torture Network based in Goma, with the aim of offering support to victims of sexual violence and providing them with temporary accommodation during their convalescence or during family mediation. At the end of 2013, the Women’s House was nearing completion. In 2014, the House will offer psychosocial support via individual and group therapy, as well as vocational training to enable victims to develop income-generating activities.

OMCT has established **two counselling centres for victims of torture in the cities of Sidi Bouzid and Kef, in Tunisia**, in partnership with the Tunisian Organisation Against Torture (*Organisation Contre la Torture en Tunisie - OCTT*), a member of the SOS-Torture Network. Known as the SANAD, these centres offer social and legal assistance, and medical monitoring via an active network of lawyers, doctors and other professionals working throughout the country. At the end of 2013, the SANAD had treated 31 cases, including 10 people who received concrete social assistance with support from the OMCT emergency assistance fund.

With the aim of providing redress for victims, OMCT regularly organizes **training seminars relating to the submission of individual complaints to the United Nations Treaty Bodies**, including the Human Rights Com-

mittee and the Committee against Torture, while also seeking to advance national and international jurisprudence related to the fight against torture and to strengthen its absolute prohibition. Two seminars have been organized in Sousse in March and Monastir in June, in cooperation with OCTT, ACAT France and Dignity. No fewer than 31 lawyers participated and received training on international human rights standards, including the struggle against torture and ill-treatment, and their effective implementation in the Tunisian context through case studies. One session was devoted to the psychological impact of torture and support for victims. At the end of 2013, 13 complaints had been filed before the national courts by OMCT and OCTT and seven others were in preparation.

Enhanced protection for human rights defenders

The 15th Annual Report of the Observatory for the Protection of Human Rights Defenders was published on February 28, 2013, at the same time as the 22nd session of the United Nations Human Rights Council was taking place in Geneva. The report was unanimously welcomed as a reference tool by NGO members and partners of the OMCT, human rights defenders, intergovernmental organisations and the diplomatic community. For the first time since it was first produced in 1997, this annual report was devoted to a cross-cutting issue that is affecting the work of human rights defenders throughout the world to an ever-greater extent, namely **access to funding for NGOs which defend human rights**. The press conference and roundtable¹ held in conjunction with the publication launch, offered an insight into the impact of funding restrictions on the work of defenders, and this message was echoed by the United Nations, the diplomatic community and the media. Other events organised subsequently in Cairo, Banjul, Brussels and Vienna in association with local partners also resulted in numerous press articles.

Moreover, the UN Human Rights Council adopted by consensus on 21 March 2013 an unprecedented resolution stating that “no law should criminalize or delegitimize activities in defence of human rights on account of the origin of funding”. Presented by Norway and supported by 70 States, the resolution shows the decisive reaction of the Human Rights Council in light of the growing trend to impede or to criminalize the activities of human rights defenders by restricting their right to access funding, including from sources in other countries, echoing the conclusions and recommendations of the Observatory’s 2013 Annual Report.

¹ The press conference of the Swiss Press Club and the round table at the Palais des Nations were organized by OMCT and FIDH and co-sponsored by the Permanent Missions of Switzerland, Ireland and the Netherlands. Panelists included the United Nations Deputy High Commissioner for Human Rights, the Director of the Unit for Human Rights of the Irish Department of Foreign Affairs and Trade, the Secretary General of the OMCT, the Director General of FIDH and human rights defenders from the Russian Federation, Bangladesh and Egypt. Video footage has also been disseminated showing comments made by Mr. Maina Kiai, UN Special Rapporteur on the Right to Peaceful Assembly and Freedom of Association and Margaret Sekaggya, UN Special Rapporteur on the Situation of Human Rights Defenders.

Two documentaries about the struggle of human rights defenders in Guatemala and Cambodia were also produced in order to raise public awareness on the struggles of socio-economic rights defenders in these two countries and the dangers they face. In Cambodia, the struggle of housing rights defenders against forced evictions were described in a film made during a meeting with an OMCT delegation, at the request of the Cambodian Center for Human Rights (CCHR), a member of the SOS-Torture Network. Filmed by Irish director Chris Kelly, the documentary will be launched in Cambodia during the first half of 2014 and distributed internationally as part of advocacy work before the United Nations. In Guatemala, the floor was given to defenders of land rights and the environment as well as women human rights defenders and defenders struggling against impunity, as part of an OMCT mission that focused on the phenomenon of the criminalization of social protest and smear campaigns against human rights defenders. The premiere will be held in Guatemala in 2014 before the documentary is presented internationally.

Struggle to end violence against women in DRC (North and South Kivu)

In 2013, in close cooperation with the NGO “Synergie of women for victims of sexual violence” (*Synergie des femmes pour les victimes des violences sexuelles - SFVS*), OMCT placed particular emphasis on **capacity strengthening with women human rights defenders in the DRC**, on supporting their efforts to eliminate violence against women in the provinces of North and South Kivu.

During the last two decades, armed conflicts and periods of instability in these provinces caused massive human rights violations with total impunity, affecting the civilian population. Armed groups and soldiers used sexual violence as a “weapon of war” to control territories, dividing the women’s communities and families. Women victims of rape often face eviction from their home or community, which shows the tendency to stigmatize the victim rather than the perpetrator of the crime.

In 2013, twenty women defenders who struggle daily side by side with victims of sexual violence, often in hazardous and unsafe conditions, received training and advocacy support: **two seminars on international human rights standards and the effective use of international and regional mechanisms to protect women against violence** were held in Bukavu (South Kivu) in April and September. A manual including a compilation of the concluding observations and comments of UN Treaty Bodies in relation to the Democratic Republic of Congo has also been developed for participants.

Two joint alternative reports have also been prepared, analyzing the obstacles to the effective protection of women against violence and making recommendations to stop this violence. The first report was submitted to the UN Committee on the elimination of discrimination against women, and the second report was presented at the second examination of the DRC under the Human Rights Council’s Universal Periodic Review. **Six women human rights defenders were invited to Geneva** to support the presentation of the reports and to continue to carry out ad-

vocacy work before the African Commission on Human and Peoples’ Rights.

In February 2014, OMCT visited the DRC to meet provincial and national authorities and to continue advocacy work at the international and regional levels.

“ Our participation in the Council and advocacy with certain people is a positive experience to be encouraged and continued so that the international community reflects on the critical issues that are tearing our society apart, including wars and violence against women in eastern DRC. The added value of this project is that grassroots women have been able to participate in international activities. Usually, even in the case of issues that concern the Eastern DRC, it is often the women closest to institutions and embassies in Kinshasa that are consulted at the international level. This was not the case in the OMCT and SFVS project because grassroots women were able to participate. ”

Julienne Mushagalusa,
Association of Women Lawyers of Congo
(*Association des femmes juristes du Congo - Afejuco*),
Bukavu, Democratic Republic of Congo

REINFORCING THE PREVENTION OF TORTURE AND ILL-TREATMENT AND PROTECTION AGAINST THESE SCOURGES

Supporting the work of the Committee against Torture

The UN Committee against Torture is a priority partner for OMCT in its struggle for the prevention of torture and ill-treatment, and their absolute prohibition. In 2013, in close cooperation with NGO members of the SOS-Torture Network, OMCT continued its work to submit alternative reports and follow-up communications, in order to offer members of this expert mechanism an objective view of the human rights situation in the countries it examined, incorporating gender perspectives and respect for the rights of the child.

In 2013, particular emphasis was placed on the **implementation of recommendations adopted by the Committee against Torture during six missions to Mexico, Indonesia, the Philippines, Colombia, Chile and Togo.** In addition to evaluating the implementation of the recommendations by the State concerned, these missions allowed for dialogue with the authorities and civil society on the effective prevention of torture, and the related struggle against impunity and respect for the victims' right to reparation.

OMCT is also particularly involved in promoting the work of the Committee against Torture. In 2012 the "OMCT@CAT" newsletter was produced and disseminated after each session of the Committee to subscribers, and the OMCT also transmitted the sessions via the internet and sent out tweets during debates. In 2013, this strategy was complemented by two training seminars on the absolute prohibition of torture, organized in conjunction with meetings of the Committee and in partnership with the Gmedia Centre, for 22 journalists from Kenya, Guatemala, Mexico and Burkina Faso.

As a sign of the trust between the Committee against Torture with OMCT, the organisation was asked to organise two coordination meetings of international NGOs based in Geneva before the annual sessions, in order to discuss how to improve the interaction and participation of civil society in Committee meetings. As a result of this experience and the relationship of trust established with the Committee against Torture, **OMCT will assume a coordinating role in 2014 for civil society with the Committee.**

“OMCT has significantly supported the work of the Committee against Torture, by providing crucial information - from the field - on the real situation of torture and ill-treatment. Without this information, it would have been difficult to engage in a credible dialogue with States on the implementation of the Convention.”

Claudio Grossman,
President of the Committee against Torture,
Geneva, Switzerland

Protection of children deprived of freedom

Since 2009, both in Benin and Uruguay, OMCT has been constantly fighting for better protection of children deprived of their liberty against torture and ill-treatment. In 2013, building on the work done in these two countries and the results obtained so far, OMCT decided to integrate the Philippines into this action, particularly in order to develop a trans-regional reading of the situation of children deprived of liberty.

In Benin, the advocacy work carried out by OMCT and Solidarity for Children in Africa and the World (*Enfants Solidaires d'Afrique et du Monde* - ESAM), member of the SOS-Torture Network, was successful in legal terms, when a Code of Criminal Procedure was adopted. This legislation incorporated the amendments proposed by the two organisations, that is to say limiting detention during the investigation phase and recognizing as a principle that the deprivation of a child's liberty should only be a last resort. At the same time, a training seminar on the protection of children in conflict with the law was held for ten juvenile judges in the country, in response to a request from these judges after a first seminar was organised with them when they were appointed in 2012.

“This workshop gives us great satisfaction. I am more than convinced than ever that we never stop learning. I strengthened my knowledge of this issue. We police officers must treat children humanely.”

Commissioner of Hilacodji Police Station,
Benin

In Uruguay, OMCT and the Institute of Legal and Social Studies (*Instituto de Estudios Legales y Sociales* - IELSUR), a member of the SOS-Torture Network, fought hard against the adoption of new laws contrary to international standards of human rights for child protection, including lowering the age of criminal responsibility. More than 60 employees and directors of the various juvenile detention centres in the country benefited from training on the rights of children deprived of their liberty and their protection against torture and ill-treatment. **In the Philippines,** the NGO Children's Legal Rights and Development Center (CLRDC), a partner of the OMCT, intervened as experts during the preparation of the Implementing Rules and Regulations of the Law on Justice and the Protection of Minors of 2004, amended in 2013, thus ensuring compliance with international standards for the protection of children's rights.

In 2013, several visits to places of detention for children were made, 35 without prior notice in Benin and 10 in Uruguay, which allowed for interviews to be conducted with more than 400 children. In both countries, these visits permitted the gathering of accurate statistics on the conditions of child detention, including girls. A valuable tool was thereby built for advocacy with relevant authorities and to increase the transparency within detention centres. In Uruguay, OMCT and IELSUR also included journalists in their delegation to raise public awareness on the extremely precarious situation for detained children. The effects are undeniable, particularly in Uruguay, as more children were able to access education, detention centres have been renovated and others have been built. In the Philippines, OMCT and CLRDC held eight monitoring visits and met with the Council for Child Protection, the main inter-agency body of the Philippine government, and made several recommendations regarding better protection for children against torture and ill-treatment.

In all three countries, however, children still face daily violence, carried out with total impunity. This issue has been specifically addressed during field missions. In Benin, juvenile judges discussed the institutional difficulties in monitoring cases involving children in conflict with the law and sought the support of the OMCT and ESAM in their interaction with the police. Cases of violence against children have already been brought to the attention of local judges in Benin. Cases have also been reported to prison authorities in Uruguay and the Philippines. **The struggle against impunity in cases of violence against children in detention will be also a priority in 2014.**

53

Monitoring visits
to juvenile detention centres.



MOBILISATION AND SUPPORT FOR MEMBERS OF THE SOS-TORTURE NETWORK TOWARDS THE ABSOLUTE PROHIBITION OF TORTURE

OMCT Tunisia – an unwavering supporter in the struggle against torture

During the past year, OMCT strongly engaged with civil society, the government and its administrative bodies as well as the National Constituent Assembly (NCA), with regards to necessary reforms in the areas of justice and security, particularly in relation to the prevention of torture and monitoring of places of detention.

On October 9, 2013, the Tunisian NCA adopted the **Organic Law on the National Body for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment** - Tunisia is the first Arab state to establish such a mechanism. In the months that preceded the adoption, OMCT facilitated a platform for exchange and dialogue between Tunisian civil society partners, policy makers and legislators so that this body can be created as soon as possible. This contribution to the legislative process was recognized by the highest Tunisian authorities.

“The draft Organic Law for the National Authority for the Prevention of Torture has been the object of working meetings and follow-up between the President of the Commission and representatives of the World Organisation Against Torture.” Final Report on the draft law on the National Body for the Prevention of Torture developed by the NCA Commission on Human Rights and Freedoms and External Relations.

In December 2013, OMCT organized a **symposium on international standards in the fight against torture and ill-treatment for 23 practising Tunisian magistrates, judges, and public prosecutors**, in the presence of Dick Marty, Vice-President of the OMCT and former Attorney General of the Canton of Ticino (Switzerland), and Adel Maged, Vice-President of the Supreme Court of Egypt. These judges from all over Tunisia discussed the difficulties inherent in the judicial system, notably the lack of investigation available to judicial police officers, the overload created by the large number of cases, the pressures on magistrates and the withdrawal of the victims for fear of reprisals. Recommendations were adopted at the end of the symposium to bring the Tunisian judiciary in line with relevant international standards.

OMCT Libya – an office at the cutting edge of the struggle against torture

The Office of the OMCT in Tripoli is at the heart of the struggle against torture in Libya. In 2013, major progress was made in several areas, including the integration of anti-torture reforms into the political transition process, capacity strengthening for those who work to help victims (human rights defenders, lawyers, judges, civil society representatives), improving access to justice for victims and raising public awareness on the absolute prohibition of torture.

Thanks to the excellent relationships established with the General National Congress (GNC), the Ministry of Justice, the National Council for Civil Liberties and Human Rights (NCCLHR) and civil society, **OMCT took part in the process for the adoption of a Libyan law criminalizing torture** (via the submission of comments). Following this adoption, OMCT organized a public meeting in April 2013 in which 48 people participated, including representatives of the three government bodies mentioned above, lawyers and activists from Tripoli, Benghazi, Misrata and Sabha. Together, they wrote a memorandum entitled *“10 Steps to End Torture”* to mobilize all stakeholders.

A workshop was also held in Tunis in October 2013 in order to **share Tunisian and Egyptian experiences on access to legal aid in the context of transitional justice**. In addition to the Egyptian and Tunisian representatives from lawyers' networks, the seminar brought together 27 Libyan lawyers, two members of the GNC and three representatives of NCCLHR, to consider the structure and management of a network of lawyers, as well as the roles of the legal community and civil society in the transitional justice process.

In 2013, the OMCT Libyan lawyers' network consisting of 20 volunteer lawyers from the cities of Tripoli, Benghazi, Misrata and Sebha, documented **200 cases of torture and ill-treatment to submit to the Office of the Attorney General and local courts**, which will not be “limited” to the national justice system, but in the case of lack of access to justice, will be presented as case files to UN treaty bodies. In relation to this, in May 2014 OMCT will organize a training workshop on the submission of complaints to UN Committees.

In June 2013, OMCT contributed to the release of 30 prisoners arbitrarily detained in Tamina prison (Misrata), who were victims of torture. This release was the result of intense advocacy work carried out by OMCT, in partnership with a member of its lawyers' network and a journalist, with the Director of the Tamina prison, the Attorney General of Misrata and the Ministry of Justice in Tripoli. OMCT continues the systematic examination of the files of arbitrarily detained prisoners both with detention centres and with the Attorney General of Misrata.

“ For three years now, since the revolution, the Tawergha people have been living in extremely precarious conditions. We have suffered many human rights violations; hundreds of prisoners have been arbitrarily detained and have suffered torture. Despite all the suffering and distress that we have known, two events organized by OMCT to raise awareness against Torture on 26 June and 10 December 2013 have enabled young Tawergha people and families to have the space to enjoy themselves a little and feel hope for one day, and above all to have professionals listening to them. ”

Ali Harous,
General Coordinator of the Tawergha camps,
Libya

“ We are very grateful to the World Organisation Against Torture for all its support for our network, especially through training and legal expertise, which have helped to strengthen the capacity of our organisation. Thanks to this unwavering support, we have been able to document hundreds of cases of torture and provide legal assistance to the most urgent cases. In addition, thanks to the exemplary relations OMCT has with public institutions and local civil society, and its efforts to unite actions in the struggle against torture, we have seen significant improvements in the human rights situation, despite the insecurity and instability on the ground. ”

Salah al-Din Yusuf Abukhzam,
President of the Libyan Network for legal aid,
Libya



IN BRIEF

846

people received support directly from OMCT of whom

83

received legal, medical and social assistance.



Coming to the aid of victims of torture and ill-treatment

Emergency assistance funds

- 40 victims of torture assisted 11 women, 17 men and 12 children, 33 of which were individual cases and 2 collective, in 12 countries: Algeria, Benin, Egypt, Russia, Nigeria, Palestine, Democratic Republic of Congo, Sudan, Togo, Tunisia, Turkey and Zambia.

Urgent interventions

- 63 urgent interventions (emergency calls, press releases and confidential letters to the authorities) for 62 people and 6 groups (several thousand individuals) in 19 countries: Bangladesh, Cameroon, Colombia, Djibouti, Egypt, India, Indonesia, Israel, Iraq, Lebanon, Malaysia, Mexico, Nepal, Qatar, Democratic Republic of Congo, Syria, Togo, Turkey and Vietnam.
- 1 joint statement at the 20th Annual Meeting of the United Nations Special Procedures.

Legal opinion / amicus curiae

- 1 legal opinion submitted to the Constitutional Court of Spain in the context of the case entitled "Bush Six" in partnership with member organizations and partners of the SOS-Torture Network.
- Monitoring of the legal opinion submitted to the Congress of the State of Guerrero, Mexico, in support of a legal initiative to criminalize torture (advocacy mission).
- 1 amicus curiae brief submitted to the European Court of Human Rights in the case of Mujkanovic et al. v. Bosnia Herzegovina, in partnership with REDRESS.

Individual complaints

- 1 individual complaint to the Committee against Torture against Switzerland (1 victim) in partnership with ELISA.
- Monitoring of complaints submitted to the Committee of Human Rights against the Democratic Republic of Congo (1 victim) and the Committee against Torture against Switzerland (1 victim) and Mexico (4 victims).
- Monitoring the implementation of complaints submitted to the Committee of Human Rights against South Africa (1 victim), Côte d'Ivoire (1 victim) and Cameroon (1 victim) and to the Committee against torture against Tunisia (3 victims).

Protection of children deprived of liberty

Benin

- 35 monitoring visits without prior notice in juvenile detention facilities and individual private interviews with detained children; advocacy meetings with the authorities.
- 1 two-day training workshop for 10 juvenile judges serving in Benin.
- Advocacy with the authorities in favour of the adoption of the Code of Criminal Procedure.

Uruguay

- 10 monitoring visits to detention facilities for minors and unlimited individual interviews in private with detained children.
- 1 training workshop on the rights of children deprived of liberty and their protection against torture, for more than 60 employees and directors of various juvenile detention centres.
- Advocacy with the authorities concerning new laws contrary to international standards for the protection of children's rights, including lowering the age of criminal responsibility.

Philippines

- 1 preparatory mission to Manila and 8 visits to places of detention.

Support for women human rights defenders in DRC (North and South Kivu)

Training

- 2 training seminars in Bukavu, for 20 women human rights defenders from the provinces of North and South Kivu, on international standards of human rights and the effective use of international and regional mechanisms of protection for women against violence.
- Preparation of a training manual for participants in training seminars and their colleagues.

Advocacy activities

- 1 alternative joint report on violence against women in North and South Kivu, submitted to the UN Committee on the Elimination of Discrimination against Women, in the presence of 4 women human rights defenders.
- 1 alternative joint report on violence against women in North and South Kivu submitted during the second examination of the DRC in the context of the Universal Periodic Review, in the presence of two women human rights defenders in the Human Rights Council.
- Advocacy by two women human rights defenders from North and South Kivu and one OMCT representative at the 54th session of the African Commission on Human and Peoples' Rights.

Protecting human rights defenders

Urgent interventions

— 245 emergency interventions – of which 108 followed up (44%) - in favour of 701 human rights defenders and 68 NGOs and other associations in 52 countries: Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Belarus, Brazil, Burma, Cambodia, Cameroon, China, Colombia, Djibouti, Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Israel/occupied Palestinian Territory, Kenya, Kirghizstan, Laos, Malaysia, Maldives, Mexico, Nepal, Russian Federation, Saudi Arabia, Uganda, Uzbekistan, Pakistan, Philippines, Rwanda, Senegal, Sudan, Sri Lanka, Syria, Tajikistan, Thailand, Tunisia, Turkey, Uruguay, Venezuela, Vietnam and Zimbabwe.

Material Support

— Material support for 43 human rights defenders and their families, and 3 NGOs in 10 countries: Cambodia, Cameroon, China, Gambia, Guatemala, Uzbekistan, Democratic Republic of Congo, Russia, Sri Lanka, Syria.

Field missions and reports published

— 8 missions for judicial observation and defence for 1 NGO and 71 human rights defenders in Bahrain, Russia, Tunisia and Turkey.

— 2 fact-finding missions in Angola and Guatemala.

— 1 mission for solidarity and judicial observation in Bangladesh.

— 1 report on the judicial observation mission to Bahrain and 1 report on the fact-finding mission to Bangladesh.

Judicial or quasi-judicial complaints

— 9 submissions to the UN Working Groups on Arbitrary Detention and Enforced Disappearances, on behalf of human rights defenders in Azerbaijan, Bahrain, Bangladesh, Cambodia, Iran, Sri Lanka and Syria.

— Follow up to a communication submitted to the UN Committee on Enforced disappearances on behalf of two human rights defenders from Mexico.

— 1 individual communication submitted to the African Commission on Human and Peoples' Rights (ACHPR) on obstacles to freedom of association of an NGO in Ethiopia.

— Follow up to an individual complaint submitted to the ACHPR on the arrest, torture and ill-treatment of three human rights defenders in Sudan.

Cooperation with international and regional mechanisms for the protection of human rights defenders

* Advocacy at the United Nations, in particular before the Human Rights Council

— 3 oral interventions during the 22nd and 24th sessions of the Human Rights Council on the question of NGO access to funding, the situation of defenders in Bangladesh in the context of the Universal Periodic Review and the situation of women human rights defenders in the framework of the annual discussion on the integration of a gender perspective, on behalf of the international Coalition of Women Human Rights Defenders.

— 4 events organised on 1) the issue of violations of the right of NGOs to funding (launch of the 2013 Annual Report of the Observatory), 2) the criminalization of defenders and solutions that the Council can bring to this problem, 3) freedom of association in Egypt, 4) the situation of human rights in Bahrain.

— Participation of the OMCT Secretary General in an event around the work and the protection of human rights defenders working in the context of corporate social responsibility, organized during the 23rd session of the Council by the International Service for Human Rights and the Norwegian Ministry of Foreign Affairs.

— 1 note submitted in the framework of the Universal Periodic Review of Bangladesh.

— 1 parallel event held alongside the second annual Forum on Business and Human Rights entitled "Land and Environmental Rights Defenders in Danger", including the compilation and dissemination of recent cases.

* Advocacy with regional intergovernmental organizations, including the ACHPR and the Organization for Security and Cooperation in Europe (OSCE)

— 2 oral and written interventions submitted during the 53rd and 54th ordinary session of the ACHPR in Banjul, Gambia.

— Roundtable on the situation of violations of the right of NGOs to funding around the world, with a focus on the situation of African NGOs and participation of the Special Rapporteur of the African Commission on human rights in Africa, the Commissioner of the ACHPR, and defenders from Zimbabwe, Algeria and Angola.

— Participation in the 2nd meeting of the Study Group of the ACHPR on freedom of association and peaceful assembly in Cotonou; submission of comments on the draft report on the enjoyment of freedom of association and peaceful assembly in Africa.

— Contribution towards the creation of a Special Representative to the Secretary General of the International Organisation of La Francophonie (*Organisation internationale de la Francophonie* - OIF) responsible for the promotion and protection of human rights.

— Participation in the Meeting of experts to develop recommendations of the Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE for the protection of human rights (Warsaw) and submission of a note of the Observatory describing the main challenges and obstacles faced by defenders in the OSCE region and recommendations to improve their protection.

— 1 event held alongside the OSCE "Supplementary Human Dimension Meeting" on "Violations of the right of NGOs to funding: from harassment to criminalization", with a focus on the situation in Russia, Belarus, Azerbaijan and Kyrgyzstan (Vienna).

— 1 note submitted on the situation of LGBT defenders in the countries of the OSCE and 1 event jointly organized with "Front Line Defenders and Human Rights House" parallel to the "Human Dimension Implementation Meeting", in the presence of defenders from Kyrgyzstan, Russia, Belarus and a representative of an LGBT network, to discuss the practical means necessary to strengthen the security of human rights defenders and NGOs in the OSCE region.

The "Defend the Defenders" Project

— 1 solidarity mission to Cambodia around the situation of human rights defenders working on the right to housing; 1 documentary produced, "The Rights of Others", directed by Irish director Chris Kelly, for broadcast in 2014.

— Dissemination of the documentary "Indiens d'Amazonie en sursis", (Amazon Indians living on borrowed time), directed by Daniel Schweizer, on indigenous peoples defending their habitat endangered by economic development in Brazil, at the World Social Forum in Tunis (Tunisia), at the University of Roraima in Boa Vista (Brazil) and at the documentary Film Festival in Lyon (France). 1,000 DVDs distributed at the Locarno Film Festival (Switzerland).

— Production and distribution of 900 postcards on behalf of Russian defender Stanislas Dmitrievsky, sponsored by Swiss clown Dimitri, in particular during his shows.

— Dissemination of documentaries produced by OMCT during the project (Mexico, Democratic Republic of Congo and Brazil) at the Open Day of the United Nations High Commissioner for Human Rights; participation of the Congolese defender Justine Masika Bihamba in a roundtable on the situation of women human rights defenders.



Activities carried out in 2013

IN BRIEF

Engagement and strengthening of NGO members of the SOS-Torture network

Strengthening of SOS-Torture Network members

- Support for local network members in their advocacy in Geneva or Brussels by facilitating meetings with the United Nations and the European Union; information sessions or bilateral meetings, interventions or joint advocacy letters.
- 1 regional training workshop on quasi-judicial procedures for 15 lawyers and legal experts from the Philippines, Sri Lanka, Maldives, Nepal, the Republic of Korea and Cambodia, organized in cooperation with a member of the SOS-Torture Network in Malaysia (April).

Campaign and mobilization during the International Day in Support of Victims of Torture (26 June)

- Intervention during the hearing held by the European Parliament Subcommittee on Human Rights on the struggle against torture in North Africa and the Middle East two years after the Arab Spring; participation in a roundtable discussion on the major challenges in the fight for the absolute prohibition of torture at the 20th anniversary of the Vienna World Conference on Human Rights.

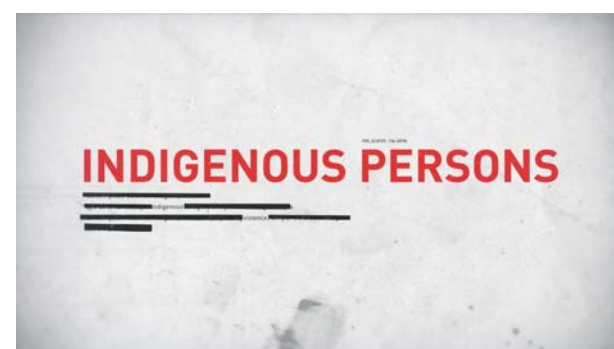
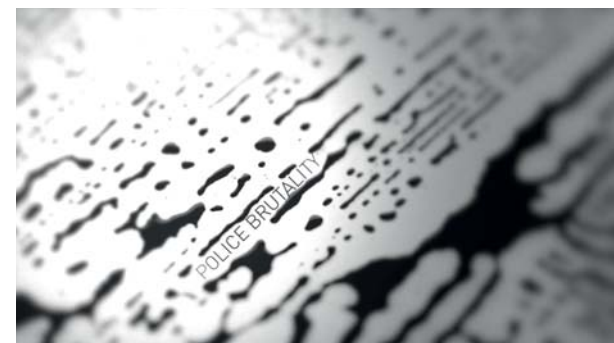
Campaign and mobilization during the International Human Rights Day (10 December)

- Portraits produced of human rights defenders struggling against torture and impunity with video footage in favour of absolute prohibition; 3 events in Kenya, Lebanon and Pakistan, in partnership with members of the SOS-Torture Network; dissemination of press releases.

“ Dear friends,
I am back safely in Abidjan and I would like to say a big thank you to all at the OMCT office for the warm welcome and the excellent work done during my stay in Geneva. MIDH appreciate greatly the kind of relationship you are trying to establish with local organisations and we hope that very soon these relationships will benefit our people. Kindest regard. ”

Yacouba Doumbia,
President, Ivorian Movement for Human Rights, Abidjan, Côte d'Ivoire

Nothing can justify torture
OMCT campaign for 10 December
<http://vimeo.com/81499059>





Strengthening the prevention of torture and ill-treatment and protection against these crimes

Strengthening the implementation of international human rights standards and mechanisms

- 7 monitoring missions in the field: Mexico, Indonesia, Philippines, Colombia, Chile, Togo and Kenya to assess the implementation of the recommendations adopted by the Committee against Torture and the Committee on Human Rights about these countries and to start a dialogue with the authorities and civil society for the effective prevention of torture and increased accountability for acts of torture or ill-treatment.
- 1 alternative report on Kenya submitted to the Committee against Torture in partnership with a coalition of Kenyan NGOs.
- 1 alternative report on Indonesia submitted to the Committee on Human Rights, in partnership with a coalition of Indonesian NGOs.
- 2 follow-up notes on Morocco and Togo submitted to the Committee against Torture, in partnership with members of the SOS-Torture Network; publication of a brochure in easy French to sensitize the general public to recommendations on Togo adopted by the Committee against Torture.

Strengthening the range and impact of reports produced in relation to treaties

- Webcast sessions of the Committee against Torture in partnership with other international NGOs and leading debates on social networks based on the discussions of the Committee.
- Publication of an e-newsletter “OMCT@CAT” in English and French, in order to provide information to civil society, government officials, experts and researchers on the sessions of the Committee against Torture.
- 2 training sessions on the absolute prohibition of torture, organized in partnership with the Centre Gmedia parallel to sessions of the Committee against Torture, for 22 journalists from Kenya, Guatemala and Burkina Faso.
- 2 coordination meetings organized at the request of the Secretariat of the Committee against Torture, bringing together international NGOs based in Geneva, to discuss the interaction and participation of civil society in the meetings of the Committee; creation of a mailing list to facilitate the exchange of information.
- 1 seminar entitled “*Litigation before the UN Committee against Torture: Strengthening This Important Tool against Torture*” held in partnership with the American University Washington College of Law, with the participation of international human rights defenders and experts.
- Active participation in the context of the reform of the UN Treaty Bodies, advocacy work to improve and strengthen the system and the effectiveness of the implementation of decisions of international mechanisms for the protection of human rights.

Advocacy before the Human Rights Council

- 5 oral interventions submitted in cooperation with member organisations and partners of the SOS-Torture Network, according to the agenda of the Council and in line with the mandate of the OMCT: respect for the absolute prohibition of torture; the situation of human rights in Iran and Côte d’Ivoire; the situation of girls and armed conflict in the provinces of North and South Kivu, Democratic Republic of the Congo; operating procedures of the Universal Periodic Review.
- 5 parallel events organized in cooperation with member organisations and partners of the SOS-Torture Network, on the following issues: accountability for torture and “extraordinary rendition”; the role of the Human Rights Council in accountability and reparation for victims of torture; the situation of human rights in Algeria and Malaysia; the rights of indigenous peoples in Asia (the case of West Papua).
- 4 reports on Malaysia, Mexico, Nicaragua and the DRC submitted under the framework of the Universal Periodic Review, in partnership with members of the SOS-Torture Network; 2 parallel events on the situation of human rights in Mexico and Malaysia.

PUBLICATIONS AND REPORTS

Human Rights Defenders/Observatory for the Protection of Human Rights Defenders

- *Violations of the Right of NGOs to Funding: from Harassment to Criminalisation, Observatory Annual Report*, February 2013 (French, English, Spanish, Arabic and Russian)

Report of judicial observation mission

- *Bahrain: Sentenced to two years in prison for advocating and exercising the right to peaceful assembly*, February 2013 (English and Arabic)

Report of fact-finding mission

- *Bangladesh: Human rights defenders trapped in a polarised political environment*, November 2013 (English)

Monitoring Protection Mechanisms

UN Human Rights Committee

- *State of Torture and Related Human Rights Violations in Kenya*, 2013 (English and Swahili)
- *Violaciones de los derechos humanos en Paraguay*, March 2013 (Spanish, English and Guarani)

UN Committee against Torture

- *State of Torture and Related Human Rights Violations in Kenya*, May 2013 (English)

UN Committee on the Elimination of Discrimination against Women

- *Rapport sur les violences contre les femmes en Nord et Sud Kivu, en République Démocratique du Congo*, July 2013 (French)

Universal Periodic Review

- *Contribution to the 2nd Universal Periodic Review of the Democratic Republic of Congo: Violence against women in North and South Kivu*, September 2013 (English and French)

OMCT Office in Tunis

- *Le rôle des avocats dans la protection contre la torture et les mauvais traitements, tiré du Colloque Le droit d'accès à l'avocat pendant l'enquête préliminaire pour les personnes privées de liberté*, organised by the National Order of Tunisian Lawyers (*Ordre National des Avocats de Tunisie*), the Tunisian Association of Young Lawyers (*Association Tunisienne des Jeunes Avocats*), the Association for the Prevention of Torture (*Association pour la Prévention de la Torture*) and the World Organisation against Torture, 27 June 2012 (French)
- *OMCT Opinion on the main characteristics of the draft law on a National Preventive Mechanism to prevent torture in Tunisia*, Tunis/Geneva, 29 August 2012 (English)
- *Sous le Jasmin, Puiser dans le passé des forces pour l'avenir, Catalogue of the photographic exhibition*, May 2013 (French and Arabic)
- *Tous Unis Contre la Torture, brochure published to mark the National Day of Support for victims of torture in cooperation with 20 anti-torture associations*, 26 June 2013 (French and Arabic)



**Report from the Auditor for the Annual Accounts ending on December 31, 2013
to the
Ordinary General Assembly of the "World Organisation Against Torture"
Association
Geneva**

Dear Sirs,

Upon request of your Executive Council and in compliance with article 19 of the statutes of your Association we carried out the auditing of the annual accounts (statements of accounts, balance sheet and annexes) of the "World Organisation Against Torture" Association for the period ending on December 31, 2013.

The responsibility for establishing the annual accounts lies with the Executive Council of the Association, whereas our mission consists of controlling these accounts. We testify that we fulfil the legal demand of qualification and independence.

Following our monitoring, we are able to state that:

- The statement of accounts and balance sheet are in conformity with accounting.
- Accounting is properly kept.
- Assets and liabilities are in accordance with the law and statutes.

In conclusion, we recommend the approval of the annual accounts stating an excess of incomes for 2013 of **CHF 6'401.50** and taking into account the amount carried forward at 1 January 2013, an excess of expenditures in the balance sheet of **CHF 33'776.88**.

Cofida Compagnie Fiduciaire
et d'Informatique SA


Pierre-Yves COTS
Certified Auditor


Antonio PEZZULLO
Certified Auditor

April 17, 2014 Carouge

Enclose :

- Annual accounts 2013
(Statements of accounts, balance sheet and annexes)

Countries where OMCT intervened in 2013



“ Help us to help victims of torture ”

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