Nothing can justify torture

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OMCT: More than the sum of our members

The OMCT is the main NGO coalition fighting torture and ill-treatment. The movement comprises over 200 local organisations, members of the SOS-Torture Network who are active in more than 90 countries around the world. Motivated by the needs of its members, the OMCT tackles all aspects of the fight against torture – namely prevention, the fight against impunity, direct assistance, rehabilitation, reparation and protection – for the victims and their families, for human rights defenders, so that everyone without exception can live in a world free of torture.

The OMCT is an international, independent, apolitical and non-confessional NGO, founded in Geneva in 1985. Its international secretariat is based in Switzerland and it also has offices in Tunisia and Belgium. The OMCT is also a member of the European Human Rights Defenders Protection mechanism and has consultative status before the United Nations Economic and Social Council (ECOSOC).

A WORD FROM OUR PRESIDENT	5
URGENT ASSISTANCE	
FOR VICTIMS OF TORTURE	6
CONVENTION AGAINST TORTURE	8
CHILD PROTECTION	10
HUMAN RIGHTS DEFENDERS	12
A WORLDWIDE PRESENCE	14
FIGHT AGAINST TORTURE IN TUNISIA	16
SOS-TORTURE NETWORK	18
OMCT EUROPE	20
MEDIA COVERAGE	21
OUR DONORS	22
FINANCIAL SITUATION 2018	23
GOVERNANCE	24
TEAM	25
PARIS SUMMIT	26
ACKNOWLEDGEMENTS	27



"States do not allow us any room, it is thanks to human rights defenders that civil society has some space. When I see us here all together mobilised for action, I no longer feel so pessimistic".

Hina Jilani, President of the OMCT, *l'Express*, October 2018 (World Summit on Human Rights Defenders in Paris) Human Rights Defenders World Summit 2018, 31 October 2018. Paris, France. © Olivier Papegnies/ Collectif Huma

STAYING THE COURSE

What will you remember of 2018? Will it be more populists coming to power in democracies, whipping up the fear of and hatred for the vulnerable? The headlines on gruesome torture and killings? More corruption in its crudest form? The image that will stick with me is different: it's the photo on the left page. A wave of human rights defenders coming together from every corner of the world to reaffirm their commitment to our common human dignity.

I was in Paris during the Human Rights Defenders World Summit in October, an event co-organised by OMCT. Then again in New York two months later, when the Paris action plan calling on States, the private sector and international organisations to protect our work, was presented to the General Assembly. For me, these were moments of celebration. As the first person to be appointed by the Secretary General of the United Nations as his Special Representative on human rights defenders, I know firsthand how far our movement has grown over the past 20 years.

Take the OMCT. At its beginnings in the 1980es, there were 30 member organisations in its network, over half of them European. Today, they have grown to over 200, the vast majority coming from the global South. We have become truly universal. What the numbers don't tell you is how much our movement has matured. How much it has diversified, not only geographically, but in terms of what its women and men are doing worldwide: fighting torture, discrimination and marginalisation, corruption and opaque land deals, and promoting justice, the rule of law, democracy and environmental rights – because human rights are indivisible. Mostly, what difference it makes to people's lives.

This report provides a glimpse into a few such victories. Human rights defenders freed from arbitrary detention in Mexico and Cambodia, after much international pressure. Adoption of anti-torture laws in Togo and Afghanistan. A historic decision by the Inter-American Court of Human Rights in a case of rape and torture by a private individual in Venezuela. Civil society investigations into cases of torture in Russia leading to the jailing of 150 policemen. More victims of torture assisted in Tunisia. And, more often than not, we have scored such victories by working in coalition with others.



point-of-views.ch

We have no battalions, but we are winning battles. Some battles.

I believe that it is precisely because we have come so far that we are being targeted. The public vilification, the financial asphyxiation, the threats against family members, the arbitrary arrests and even, tragically, the killings of human rights defenders – all this is testimony to the fact that we are spoilers. At least 1,019 human rights defenders in 61 countries were killed between 2015 and 2017, according to data verified by the UN. All this happens because these brave women and men try to prevent the powerful from abusing their power, the corrupt from selling out natural resources that belong to all, the torturers from going unpunished, the victims from being denied justice.

Act faster, act together

In many ways, these are tough times for human rights, and for those that defend them. We are faced with the unholy alliance between the populists rising to power in the West and the more classical authoritarians of the global South. In ways that are sometimes disturbingly similar, they are trying to erode the human rights edifice that was painstakingly built over the last decades, and to silence, cripple, or even obliterate its custodians.

Our answer is to stand up, and to adapt. To build resilience, to be more proactive, more innovative in how we defend the law and protect the vulnerable against torture. To be even closer to people's needs, to act faster. But above all, to act together. Over the past year, we have launched several initiatives that have allowed members of our SOS-Torture network to exchange best practices in a more systematic way and to strengthen coordination. More is to come.

This is our own alliance. We must work increasingly together to provide assistance to victims, litigate cases of torture, monitor and report violations, reach out to international organisations and to those States – those islands of support – who believe that injustice against one is injustice against all.

It is a long and arduous road. But we will stay the course.

Hina Jilani OMCT President

URGENT ASSISTANCE FOR VICTIMS OF TORTURE

Direct assistance for victims of torture is a central element of the OMCT's mission, ensuring that the victims are recognised, accompanied and supported on their journey to recovery.

RAPID RESPONSE

The Urgent Assistance Fund for victims of torture was created in 1986, following requests from the NGO members of the SOS-Torture Network, to offer a rapid response to the immediate needs of torture victims throughout the world. Victims can contact the OMCT directly or be referred to us by local organisations, who may not always have the resources to respond themselves to these calls for help. Each case is assessed, verified and monitored by professionals in collaboration with local partners.

A hidden crime

Torture and ill-treatment are often carried out in secret or in extreme situations, especially in times of war. For that reason, it is impossible to determine the exact number of cases; however, we know that the practice of torture continues to be endemic in numerous countries. Torture is often used to extract confessions, to subdue political opposition in authoritarian regimes, to humiliate and punish those of different ethnic origin or sexual orientation, or to obtain a ransom. Most victims are disadvantaged and marginalised, and are rarely aware of their rights.

Multi-disciplinary assistance

- Medical assistance first aid to victims for their physical or psychological recovery;
- Social assistance support for the basic needs of victims and their families for survival and social reintegration;
- Legal assistance support to seek justice and compensation for damages suffered and/or ensure fair defence at a trial, official recognition of the torture suffered, or prosecution of the perpetrators.

Where local legal remedies are exhausted, the OMCT can provide its expertise and support to lawyers or local partners to submit cases to regional and international human rights courts; e.g. the African Court on Human and Peoples' Rights, the Inter-American Court of Human Rights, the European Court of Human Rights, the UN Committee Against Torture or the UN Human Rights Committee, in order to obtain justice.

Our work in 2018

In 2018 the OMCT provided medical, legal and social assistance to 69 victims of torture in 15 countries via its Urgent Assistance Fund. The organisation also continued providing direct support to victims in Tunisia through its SANAD centres (see pages 16-17).



The majority of victims access two different kinds of support most often both medical and legal assistance.

STORIES



Linda Loaiza Lopez Soto ©омст

Historic judgment for Linda, tortured during three months at 18 years old

Linda Loaiza was 18 years old when she arrived in Caracas, the capital of her native Venezuela, to start university. Instead, an unknown assailant kidnapped her and savagely raped and tortured her for three months in a private apartment. Eventually he left her for dead, and Linda managed to drag herself to the apartment balcony, alerting neighbours to her plight.

She had to undergo 15 complex surgeries, dental reconstruction and numerous therapies just to be able to walk again. Worse still, perhaps, she will have to fight for many long years against constant fear, panic attacks, and broken self-esteem.

Despite the fact that the police were alerted by Linda's sister and knew the kidnapper's identity from the beginning, they did not intervene because his father was a public figure. Linda later became a lawyer and courageously brought her case before the Venezuelan justice system; however, the system was just as uncooperative.

The outcome was different, however, when the OMCT and a Venezuelan organisation brought the case before the Inter-American Court of Human Rights. On 16 November 2018, 17 years after the facts, the Court found Venezuela responsible for human rights violations, torture and slavery. The case represented a legal precedent: it was the first time that the Court found a State guilty of crimes committed by a private individual, since officials of this State had refused to intervene to stop Linda's ordeal.

Today, Linda continues to work as a lawyer, fighting against violence still endured by thousands of women in her country. For justice, and against indifference.

Star-crossed paths in Togo

In September 2017, there were a number of demonstrations in Lomé, the capital of Togo, demanding political change and the implementation of institutional reforms. The police response was brutal, whether against the protesters or simple passers-by.

Félix was a protester. As he was running away from the police officers who were charging the protesters, he was intercepted by ten gendarmes who beat him and left him for dead. Félix survived, but he can no longer see with his left eye, his face and his body are covered with serious injuries, and the pain in his joints has left him unable to walk. It is only thanks to the help of the OMCT that he will be able to afford the medical care and medicine he needs.

Kossivi, on the other hand, found himself in the wrong place at the wrong time. As he was returning home from work, he tried to avoid the protesters; however, he was detained by a car with some fifteen police officers on board. They accused him of being a protester and beat him with truncheons until he lost consciousness. Resulting from this were serious injuries to his head and face, damage to one eye, oedemas on his body and serious psychological problems. He was taken to three different hospitals before receiving the care he urgently needed. Alerted by a local partner, the OMCT provides the financial support to enable Kossivi, now disabled, to receive medical care.



Félix © OMCT/Stella Anastasia



Kossivi © OMCT/Stella Anastasia

CONVENTION AGAINST TORTURE

The OMCT strives for all States to comply with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. To this end, the organisation leads, supports and coordinates the work of civil society with the Committee Against Torture (CAT), publishes reports, builds coalitions, and carries out advocacy missions, follow-up activities, and joint campaigns against torture with members of its network in a wide range of countries.

AFGHANISTAN AND TOGO: ADOPTION OF ANTI-TORTURE LAWS

Two years of intense advocacy work by OMCT and its Afghan partner the Civil Society and Human Rights Network (CSHRN) were one of the factors contributing to legislative progress in Afghanistan. In March, the country ratified the Optional Protocol to the Convention against Torture, then adopted a new anti-torture law in October. The new Penal Code has also been modified, with limits to the application of the death penalty, in partial fulfilment of the recommendations of the CAT. In recent years, the OMCT had mobilised its local partners, who provided first-hand information to the CAT for the review of Afghanistan, at the beginning of 2017 (the first review of the country in 20 years).

In Togo too, the mobilisation of civil society, in particular OMCT network members CACIT and ACAT Togo, culminated in April in the adoption of a law on the structure and composition of the National Human Rights Commission, in which this body has been given an additional role to act as the National Mechanism for the Prevention of Torture. Moreover, CACIT successfully defended cases for victims of torture before the ECOWAS Court of Justice, with support from the OMCT.

Afghanistan: Training on the prevention of torture and on the Istanbul Protocol © OMCT



GUATEMALA: SIGNIFICANT NGO MOBILISATION

Following intensive work by the OMCT, 24 Guatemalan NGOs presented a joint shadow report at the November session of the CAT, and engaged in sustained advocacy work with the independent experts serving on the Committee. Civil society has formed a wide coalition to work on the follow-up of the CAT's observations, in particular related to strengthening the National Program for the Prevention of Torture and combatting impunity in emblematic cases, such as that involving the death of 41 girls in the "Hogar Seguro" care home in March 2017.

DYNAMIC SUPPORT TO TREATY BODIES

Their name may seem abstract, but the UN treaty bodies play a vital role: independent experts examine the way in which States are fulfilling their obligations when they sign an international treaty, make public recommendations and, in some cases, receive complaints from private individuals who consider themselves victims of violations by their government. These experts base their conclusions, among others, on "shadow reports" drafted by civil society that highlight the problems some States would prefer to ignore.

OMCT is a member of TBNet, an informal group created in 2017 to enable international NGOs and networks working in partnership with UN treaty bodies to carry out joint activities and projects, with the aim of strengthening the participation of civil society and the effectiveness of the treaty bodies.

On 15 November, TBNet and Amnesty International organised a round table during the elections to the treaty bodies. Representatives from States, the United Nations High Commissioner for Human Rights and civil society could thus confidentially discuss current processes for the nominations and elections to the treaty bodies, as well as proposals to strengthen the quality, independence and diversity of the members of the treaty bodies.



Gael Garcia Bernal and Helena Solà Martin, OMCT Human Rights Adviser ©OMCT

During the March UN Human Rights Council session, celebrated Mexican actor Gael Garcia Bernal presented a statement against the impunity prevailing in his country, on behalf of the OMCT and of one of our Mexican partners, CMDPDH. The actor also participated in different events organised by the OMCT, at the UN and at the International Film Festival and Forum on Human Rights (FIFDH).

••The Committee Against Torture is really lucky to be able to count on the OMCT to coordinate NGO participation in our work. **?**

– Jens Modvig, Chair of the United Nations Committee Against Torture (CAT)

2018 IN FIGURES

Direct support from the OMCT to **67** NGOs participating in three sessions of the CAT

Close to **100** recommendations from the OMCT and its partners adopted by the CAT

9 country reports submitted to the CAT by local partners of the OMCT

8 advocacy and fact-finding missions and training sessions in Africa, Asia and Latin America

2 thematic briefings for CAT members, one on women and the other on child victims of violence

IN FOCUS

Mexico: Journalists carry the anti-torture flag

Torture is endemic in Mexico, where it is used by the State security forces to extract confessions and fabricate culprits. In November 2018, in the lead up to the examination of Mexico by the CAT the following year, OMCT organised a multi-disciplinary training session for eight journalists in Geneva, to enable them to better cover subjects related to human rights, and in particular to popularise the crucial role played by the CAT and other UN mechanisms. On their return home, the journalists published numerous articles on torture in Mexico. In 2017, OMCT had held its first such successful training for Russian journalists.



Training for Mexican journalists © OMCT

Control of the most relevant issues in my work as a Mexican journalist, which is why the OMCT training I received has been fundamental. **?**

- Emir Olivares, journalist from the daily newspaper La Jornada

PROTECTION OF CHILDREN AGAINST TORTURE

Children are highly vulnerable to torture and ill-treatment, especially when deprived of liberty. Since 1993, the OMCT has been working to protect them from torture and other forms of violence. In collaboration with local organisations, the OMCT fights to defend children and to guarantee their rights around the world.

TOWARDS SUSTAINABLE PROTECTION FOR CHILDREN

Advocacy and campaigning against torture

In 2018, the OMCT and its partners continued their long-term work, combining legal and advocacy interventions, both nationally and internationally, with regular visits to child detention centres in priority countries. The objective is to raise awareness with the authorities and offer direct support to child victims, with the ultimate goal of protecting children from torture.

Togo: towards the creation of a National Mechanism for the Prevention of Torture

In collaboration with its local partners, the OMCT organised an expert mission to Togo, focusing on the establishment of the National Preventive Mechanism against Torture, detention conditions, and the protection of children (see also p. 8). The members of the mission visited civilian prisons in Lomé and Kpalimé, including the juvenile areas, and noted overcrowding, as well as a high proportion of detainees who had not yet been tried. Advocacy work by the OMCT led to the adoption of a law to reorganise the National Human Rights Commission by giving it the mandate of National Mechanism for the Prevention of Torture, which will play a crucial role in the prevention of torture for child detainees.

Tunisia: training for the National Office for the Prevention of Torture (INPT)

The OMCT was invited to give intensive training to the INPT, the new anti-torture mechanism, on monitoring places where children are deprived of liberty. The session focused on the application of international guarantees and standards for the prevention and protection against child torture, as well as on complexities related to documenting cases of torture against minors. At the end of this two-day training, the INPT Commission on Women, Children, People with Disabilities and Vulnerable Persons committed to developing a guide for children deprived of their liberty specifically in centres for the rehabilitation of juvenile offenders.

Middle East and North Africa: major regional consultation

The OMCT contributed to the UN Global Study on Children Deprived of Liberty by organising, jointly with several partners, a regional consultation in Tunis for the Middle East, North Africa and the Gulf region. The consultation, which was led by Manfred Nowak, the independent expert in charge of this project, brought together numerous representatives from civil society, academia, the authorities, intergovernmental agencies and formerly detained children. The conclusions and recommendations from this meeting will contribute to the content of the study to be presented by the United Nations to governments around the world, which will aim to improve the protection of children deprived of liberty.



Participants to the UN Global Study © OMCT



© Kant Smith, Pixabay

IN FOCUS

Convention against torture: towards increased protection for children

In April 2018, the OMCT organised a thematic briefing for members of the United Nations Committee Against Torture (CAT), in the presence of members of the Committee on the Rights of the Child. The objective was to raise awareness of specific issues for children related to the application of the Convention against Torture, and to encourage collaboration between the two treaty bodies. During the meeting, the OMCT presented concrete recommendations for improving the international legal framework for the increased protection of children. Ultimately, the OMCT hopes that better awareness of the specific vulnerability of children to torture and other forms of violence will lead to an increase in the Committee's recommendations on the situation of children, and possibly to regular collaboration between the two Committees.

MONITORING AND DIRECT SUPPORT

The OMCT's work greatly benefits from the almost unique access, via its partners, to places of detention where children are deprived of liberty, enabling regular monitoring visits to take place.

Brazil:

visit to places of detention in Pernambuco

A mission organised by the OMCT, in collaboration with its local partner GAJOP, visited places of detention for children in the Brazilian State of Pernambuco. The mission, led by Luis Pedernera, a member of the United Nations Committee on the Rights of the Child, also trained prison staff on measures to prevent torture against children. Excellent media coverage brought public attention to child detention conditions in the State of Pernambuco.

Philippines: child victims of the "war on drugs"

The violence of the "war on drugs" led by the Duterte administration since 2016 has not spared children, whether the dramatic increase in extrajudicial killings of children or the deplorable conditions of detention in overcrowded prisons, where abuse of children is common. These are the serious problems that the OMCT raised during a field mission, in the framework of important exchanges with civil society, the authorities and diplomatic missions.

The OMCT visit to child detention centres in Caloocan and Bahay Pagasa highlighted alarming prison conditions – especially in Caloocan – with numerous allegations of ill-treatment, including beatings and lack of access to health care. The mission resulted in a joint report prepared by the OMCT and its local partners, which was submitted to the Committee Against Torture.

HUMAN RIGHTS DEFENDERS

Fighting against torture and for human rights is a high-risk activity. Human rights defenders, and sometimes their families, are often victims of threats, defamation, attacks, prosecution, arbitrary detentions, or even acts of torture or killings. The protection of these defenders and their organisations around the world is at the heart of the mission of the OMCT.

STRENGTHENED SUPPORT

The OMCT is one of the main international NGOs ensuring that defenders receive comprehensive protection and support wherever they are and regardless of their specific area of work. This comprehensive strategy includes early warning, prevention, advocacy, local capacity building, physical safety and direct support. This has been developed in collaboration with the FIDH, through the Observatory for the Protection of Human Rights Defenders, created in 1997.

In 2015, following a rise in attacks and repression, the OMCT, in partnership with 11 other international and regional NGOs, created ProtectDefenders.eu, which is today the largest global mechanism for the protection and support of defenders.

2018 IN FIGURES

48 human rights defenders released following action by the OMCT and other partner organisations

360 urgent interventions in favour of **765** defenders and **57** NGOs in **68** countries

10 country reports published on the situation of defenders

15 training sessions, in close collaboration with our local partners, in favour of **338** defenders in **26** countries.

INCONVENIENT EFFICIENCY

Human rights defenders act peacefully to protect us against human rights violations, including summary executions, torture, arbitrary arrest, sexual violence, forced evictions, destruction of the environment, etc. However, the situation of defenders around the world continues to deteriorate, perhaps in reaction to a human rights movement that has never been as global, diverse and successful. In 2018 the OMCT noted:

- Repression against defenders fighting for land and environmental rights continued in all regions of the world;
- Defenders have been targeted in countries where violations are particularly serious or systemic, such as in situations of conflict, crisis or political transition;
- Many defenders work in increasingly restrictive environments, while legal frameworks limit freedom of association – including the right of NGOs to receive funding from abroad –, expression and peaceful assembly;
- Across the globe, defenders face attacks as well as legal and political restrictions in the name of counter-terrorism and related security laws and policies;
- The space available to the international community to support human rights is also closing. This is the case for both international NGOs and inter-governmental agencies in all regions of the world. Some examples are the attacks on the International Commission against Impunity and the entire diplomatic community in Guatemala, the expulsion of the High Commissioner for Human Rights team from Nicaragua, the attacks on United Nations Special Rapporteurs in the Philippines and Burundi, and efforts to dismantle the African Commission on Human and Peoples' Rights and to curtail the work of the International Criminal Court in some African countries.

OMCT SUPPORT TO HUMAN RIGHTS DEFENDERS

- Emergency material support, including in particular medical rehabilitation and psychological support, digital and physical security, legal support or emergency relocation which can also include close family members;
- Financial support to local organisations that defend human rights, to enable them to consolidate their activities and continue their action in highly adverse contexts;
- Systematic international alert system to monitor the situation of defenders and the environment in which they work, and to advocate for a local, national and international protection programme, including the organisation of fact-finding missions and the publication of reports;
- Training and capacity building to improve defenders' security, sharpen their advocacy strategies, connect them to stronger networks and increase their knowledge of key aspects of human rights.



PROTECTDEFENDERS.EU

This European Union (EU) mechanism for at-risk human rights defenders was launched in 2015 and is comprised of local and international NGOs. Of the four organisations in the consortium's board of directors, the OMCT is the only one based in Switzerland.

Support from PD.EU during year 3 of the project in figures

- 514 emergency grants given to human rights defenders at risk
- 70 relocation programmes for 116 people
- **82** grants given to local NGOs and groups of defenders to help them develop their operational capacity
- 127 training and capacity-building initiatives for more than 2,900 defenders
- 46% of beneficiaries were women human rights defenders

STORY Amal Fathy, persecuted for denouncing sexual harassment in Egypt

In May 2018, Amal Fathy, a human rights defender and member of the Egyptian Commission for Rights and Freedoms (ECRF), a human rights NGO, posted a video on Facebook criticising the lack of action by the authorities to tackle the sexual harassment faced by many women. This unleashed an onslaught of public and legal harassment against Ms Fathy, including a smear campaign in the mainstream media and threats on social media. Subsequently the police came to the activist's home and took her to the police station along with her husband Mohamed Lotfy – executive director of ECRF – and their three year-old son.

Ms Fathy's family were quickly released, however, she was placed in preventive detention on 12 May, then sentenced in September, during a first trial, to two years in prison and a fine for "publishing false information which was damaging to State security". She was also prosecuted in further criminal proceedings for "belonging to a terrorist group", "disseminating ideas inciting others to commit terrorist acts and damage the national interest" and "using the internet to incite others to commit terrorist acts".

Ms Fathy's health deteriorated following her detention and the harassment she suffered. She has been granted conditional release since the end of 2018, in relation to the second set of charges. On 30 December 2018, the Court of Appeal in Cairo nevertheless rejected Ms Fathy's appeal related to the first set of charges and confirmed the sentence of two years in prison. At the time of writing, she is still obliged to report to the police station weekly and she could be arrested again at any moment.

The Observatory for the Protection of Human Rights Defenders continues to closely follow her situation.



Amal Fathy and Mohamed Lotfy



Damián Gallardo Martínez © Consorcio Oaxaca

Mexico: released after more than five years in arbitrary detention

Three Mexican human rights defenders were finally released at the end of 2018, thanks in particular to tireless advocacy work carried out by the OMCT and its partners. Damián Gallardo Martínez, Enrique Guerrero Aviña and Librado Baños had been arbitrarily detained for over five years, during which time they had suffered torture and other ill-treatment.



Venezuela

In November 2018, thanks to support from the OMCTand a partner organisation, the Inter-American Court of Human Rights issued a historic judgement. It found the Venezuelan State guilty of torture, committed by a private individual, as the State had refused to intervene (p.7).

OMCT AROUND THE WORLD IN 2018

Togo

14

Brussels

Geneva

Tunis

Partner organisations of the OMCT network in Togo mobilised, leading to the adoption of a law establishing the creation of institutions enabling the implementation of the National Mechanism for the Prevention of Torture (p. 8).



Cambodia

Tep Vanny, a woman human rights defender, was finally released in August 2018, after 735 days in detention. She had been detained on unjustified charges, principally for her activism on the right to housing. For further information, visit our website: https://bit.ly/2Rawecf



Missions = Field missions (advocacy, trial observation, fact-finding, etc.)

Impacts = Legislative change, legal decisions, media impact, etc.

 Country reports on the situation of defenders

- Trainings, round tables, workshops = Civil society capacity building on CAT mechanisms, protection and prevention of torture, etc.
- Urgent assistance = Legal, medical and social support to victims of torture and human rights defenders
- Capacity building = Financial support and capacity building provided to civil society organisations and human rights defenders

15

• CAT reports = submission of shadow reports to UN mechanisms, including the Committee Against Torture

OMCT offices

THE FIGHT AGAINST TORTURE IN TUNISIA

Although Tunisia is a country in transition, torture and impunity persist, inherited from the former regime. Since opening its office in the country in 2011, the OMCT has been encouraging legislative and institutional reform with the aim of fighting torture and impunity. Together with its civil society partners and in cooperation with the authorities, the OMCT offers direct, pluri-disciplinary and free assistance to victims of torture and institutional violence, advocates for justice, and raises awareness with the general public.

DEVELOPING DIRECT ASSISTANCE FOR VICTIMS

In 2018 the OMCT's direct assistance programme in Tunisia, known as SANAD, marked five years in existence. By the end of the year, 392 people – 275 direct victims and 117 members of their family – benefited from legal, psychological, social and medical assistance, provided by the two SANAD centres for advice and direct assistance in Kef and Sidi Bouzid. In 2018 alone, SANAD took 84 new referrals. It should be noted that the majority of direct victims of torture referred to SANAD are young men.



 62% of SANAD beneficiaries are young men between 18 and 34 years old



 78% of these men are unemployed or employed in casual labour and come from marginalised neighbourhoods

The OMCT also created two networks of local associations in 2018, one in the north-west and the other in the centre-south, to better respond to the needs of torture victims and to enable them to rebuild their lives.

SUPPORT FOR INVESTIGATORS AND PSYCHOLOGISTS

Fighting against torture also involves the documentation of cases. In 2018, the OMCT organised a training workshop on the documentation and investigation of torture cases for lawyers from the SANAD network and associated partners. Another important aspect presenting enormous challenges is the issue of psychological support in prison environments. The OMCT has begun monthly professional training and supervision sessions for psychologists from the prison services in order to support their work with referrals in prison environments, in partnership with the prison administration and the association Psychologues du Monde Tunisie (PDMT).

MOBILISATION FOR TRANSITIONAL JUSTICE

For the OMCT, a true transitional justice process in Tunisia is fundamental to build a real and lasting democracy. After the files of victims of serious human rights violations between 1956 and 2013 were transferred to specialised courts, the OMCT has been accompanying the victims and their families, and has even acted as a civil party in certain emblematic cases. This includes the cases of Fayçal Baraket and Rached Jaidane, in which the United Nations Committee Against Torture has issued decisions against the Tunisian state.

CONTINUOUS TECHNICAL SUPPORT TO THE NATIONAL OFFICE FOR THE PREVENTION OF TORTURE (INSTANCE NATIONALE POUR LA PRÉVENTION DE LA TORTURE - INPT)

The OMCT has continued to support the National Office for the Prevention of Torture since 2017 through a diverse and complementary programme. The objective is to strengthen this institution so that it can carry out its mission. Throughout 2018 the organisation implemented several activities to train, reflect and raise awareness on all issues related to the prevention of torture in Tunisia.

For further information,

see Annual Report on Tunisia 2018 (https://bit.ly/2IDrUOP)



A number of lawyers pleaded at the first hearing in the Fayçal Baraket case before the Specialised Transitional Justice Criminal Court on 6 July 2018 in Nabeul, including Mokhtar Trifi, vice-president of the OMCT, which is acting as a civil party in the case. \odot OMCT



STORY Nadim, the slow return to life

In summer 2016 Nadim's* world was turned upside down. Police officers took him from his home using a vague pretext, then put him in a car and blindfolded him. Upon arrival, he was pressured to sign a statement which said that he had participated in terrorist activities. Nadim refused to acknowledge involvement in crimes that he had not committed. That was when the torture started. It lasted for a week.

The beatings and insults were merely a prelude to being forced into the "roast chicken" position, in which he was attached, naked, between two tables for many hours, subjected to electric shocks, waterboarding and sexual violence. Nadim finally signed the statement. He then spent two years in prison. On his release, the police intimidation continued, against him and his family.

This torture has had a serious physical impact on Nadim, and worsened a pre-existing illness of the nervous system. The psychological effects are equally serious: post-traumatic stress, depression, insomnia, suicide attempts. Now aged 40, Nadim is totally incapable of walking on his own, and his arms are paralysed.

Since October 2018, Nadim has been supported by the SANAD centres of the OMCT, which guarantee psychological and medical support, as well as legal assistance in relation to the police harassment he continues to suffer. Thanks to the intervention of the OMCT, Nadim has also begun to receive the social benefits he is entitled to, but which he had not received since his release from prison. The psychologist who follows him at home reports remarkable improvements in his psychological state.

*a pseudonym

THE OMCT SOS-TORTURE NETWORK

The SOS-Torture Network was established by the OMCT in 1985 and includes more than 200 member organisations working in over 90 countries. The Network is the thread that runs through and empowers all of the OMCT's work, enabling assistance to victims, joint advocacy and protection, collective learning, and direct action in all areas of the anti-torture movement.

INTERNATIONAL ADVOCACY WORK

In 2018, the programme dedicated to developing the SOS-Torture Network accompanied and supported the OMCT's members and partners in a significant number of activities, nationally, regionally and internationally. Of particular note was advocacy work with the United Nations Human Rights Council, the European Union and various governments aimed at creating pressure to encourage local progress against torture, on behalf of victims and human rights defenders.

BOOST FOR DEFENDERS IN EXILE

The OMCT has published a guide for the network on Investigating and Documenting Torture Remotely, especially for defenders working in exile or in hostile and dangerous environments, who can only access certain areas for very limited periods. It is a compilation of the network's best practices, resulting from a meeting of the "Documentation Working Group". In addition to collecting and verifying information, the guide covers issues related to the security of human rights defenders, victims and witnesses, and offers concrete solutions.



How can the collective work of the network be strengthened? The OMCT team in action during a working retreat dedicated to the SOS-Torture Network. @ OMCT

CAMPAIGNS AND HIGHLIGHTS FROM ACROSS THE NETWORK

The OMCT members are local organisations that are highly diverse in terms of their size, composition, resources and specific modes of action. It is essential to connect them nationally, regionally and globally, in order to share expertise and strategies and to act together with a common goal.



THE NETWORK, A RESERVOIR OF EXPERTISE

2018 also saw the launch of a pilot programme for mutual support among members, which has enabled lawyers from Spravedlivost Jalal-Abad, a human rights organisation from Kyrgyzstan, to spend three weeks working with the Russian NGO the Committee Against Torture (CAT) in Nijni Novgorod, where they developed practical skills for the collection of evidence of torture.



Members of the Committee Against Torture (Russia) during investigations into a torture case ${\,{}_{@\,\,CAT}}$

IN FOCUS

Documenting torture in hostile environments

In May 2018, front line anti-torture activists met in Geneva to exchange their experiences and find solutions to a tricky issue, which is rarely addressed: how to irrefutably document torture in environments hostile to human rights, especially when you are in exile? How to continue to receive information while protecting your sources? How to put in place viable structures to continue advocacy outside the country? The participants, who came from diverse geographical origins – Saudi Arabia, Azerbaijan, Burundi, China, India, Mexico, Myanmar, Oman, Russia, Sudan and Tibet – appreciated this rare opportunity to share experiences that were at times very different, despite some common challenges. At the request of the participants, who created a working group, the OMCT will organise another meeting so that they can continue their search for concrete solutions.

THE OMCT CONGRATULATES THE MEMBERS OF ITS NETWORK

Henri Tiphagne (People's Watch, India), member of the OMCT's Executive Board won the Nani A. Palkhiwala Award for Civil Liberties for his tireless human rights work.

Mokhtar Trifi, OMCT Vice-President and former President of the Tunisian Human Rights League, was presented with the Order of the Republic by the Tunisian President in recognition of his career as an activist, and his contribution to human rights and to the principle of democracy.

OUR NETWORK

How to document, irrefutably, cases of torture in the absence of political will? The Committee Against Torture (CAT, Russia), a member of our network, has set up a parallel system, called "public inquiry". The principle is simple. As soon as any information relating to acts of torture or other serious human rights violations is received, it is recorded as evidence. Then begins long-term, sustained and painstaking work by experts, so that the victims can obtain justice.

This innovation has been remarkably successful: more than 150 police officers have been convicted of torture and imprisoned. In addition, CAT Russia saved 50 lives, rehabilitated more than 500 victims of torture, and encouraged the authorities to dismiss over 200 investigators who were not doing their job.

This form of public control of law enforcement abuses has been adopted by many NGOs in Russia and other countries from the former Soviet bloc.

OMCT EUROPE

Created in 2003, the OMCT's office in Brussels is a growing advocacy and support hub for the OMCT and its SOS-Torture Network. It shares and amplifies the voices of civil society organisations before European Union (EU) institutions with the aim of improving EU policies against torture and in favour of human rights defenders.

SPOTLIGHT ON EGYPT...

The OMCT office in Brussels took action with regards to the situation in Egypt on several occasions throughout the year, in coordination with other Brussels-based NGOs. In February and December, for example, the OMCT successfully advocated alongside other NGOs for the adoption by the European Parliament (EP) of two resolutions on the situation in Egypt, with significant reference to the situation of defender Amal Fathy (see also page 13). In May, the OMCT contributed to a joint letter to EU Member States calling for the EU declaration to the UN Human Rights Council to include key elements against torture and in favour of the protection of human rights defenders. Finally, in December, the OMCT participated in another joint initiative to ensure that the Council of the EU-Egypt Association focuses on human rights issues, and particularly on the protection of defenders.

... AND LATIN AMERICA

The director of the OMCT office in Brussels spoke during a debate on the EU-Mexico Global Agreement in the Mexican Senate, with the participation of Mexican parliamentarians and MEPs. The office also contributed to engaging MEPs on the situation of human rights defenders, with open letters on the situation of defenders in Colombia, Mexico and Guatemala. Finally, OMCT worked in coordination with other NGOs to ensure that the EP monitors the human rights situation in Guatemala through an exchange of views in the Sub-Commission on Human Rights (DROI), with the participation of OMCT partners from Guatemala.

FOR A EUROPEAN PARLIAMENT MORE COMMITTED TO HUMAN RIGHTS

In addition to the two resolutions on Egypt, the OMCT also contributed to EP resolutions on the situation of defenders in Sudan and Tanzania.

The OMCT further provided information on Nigeria and Bangladesh, two countries where the human rights situation has reached crisis proportions, thereby contributing to EP resolutions on these two contexts.

MEETING OF THE OMCT EXECUTIVE BOARD IN BRUSSELS

In November 2018, the OMCT's Executive Board met for the first time in Brussels. The participants also met with key authorities from all sectors in the EU institutions and discussed challenges for human rights around the world, and the role of the EU. A reception organised by the OMCT in the presence of our President, Hina Jilani, and the President of OMCT Europe, Pierre Galand, brought together many members of the human rights community in Brussels, members of the European Parliament and other representatives from EU institutions. The guests also listened to an address by the EU Special Representative for Human Rights, Stavros Lambrinidis.

2018 IN FIGURES

7 advocacy missions before EU institutions with OMCT partners from all regions of the world

3 open letters from members of the European Parliament, expressing concerns about human rights issues following advocacy by the OMCT

5 resolutions on human rights adopted by the European Parliament, influenced by OMCT advocacy



Stavros Lambrinidis, Hina Jilani and Gerald Staberock © OMCT

SEEN IN THE MEDIA

In 2018, the OMCT's work has been mentioned by at least 83 newspapers, in more than 30 countries, in at least nine languages, in North and South America, Asia, Africa and Europe. Below is a small selection of media stories from 2018, discussing the work of the OMCT and of our Network members, who are at the heart of the international movement against torture.

Saudi Arabia:

"The OMCT and the FIDH said the 'scandalous' treatment of women activists in the Islamic kingdom raised questions about the monarchy's 'genuine willingness' to modernise."

NDTV, India, January 2018



Tunisia:

"In the current context of total impunity for the security forces in all cases of torture, this case and all those that will be transferred to the specialised courts also offer hope."

Camille Henry, Advocacy Coordinator OMCT Tunisia, RFI Afrique, May 2018



Mexico:

"It is not only about the excessive use of force and the impact it can have on people who have had their land taken away from them, it is also about the emotional and psychological impact at a very basic level."

Helena Solà Martin, OMCT Human Rights Adviser, Proceso, December 2018



United States, nomination of Gina Haspel as the head of the CIA:

"Normally, [torture] should send you to prison, not to become the head of the key intelligence agency in the country. [This nomination] sends a terrible message that you can build a career out of torturing."

Gerald Staberock, OMCT Secretary General, Al Jazeera, May 2018



"Torture is like cancer."

Gerald Staberock, OMCT Secretary General, CNN Money, July 2018





... and also by:



INSTITUTIONAL DONORS 2018

FOUNDATIONS AND OTHER PARTNERS

Brot für die Welt Fondation de bienfaisance du Groupe Pictet Fondation privée genevoise Fondation Pro Victimis Freedom House Loterie Romande National Endowment for Democracy Oak Foundation Open Society Foundations Organisation Internationale de la Francophonie The Sigrid Rausing Trust

GOVERNMENTS AND EMBASSIES

Ireland Liechtenstein Monaco Switzerland The Netherlands United States of America

INTERNATIONAL AND INTERGOVERNMENTAL ORGANISATIONS

European Commission Fund UNVFVT Special Fund of the OPCAT (UN)

LOCAL GRANTS (CANTONS, CITIES AND MUNICIPALITIES IN SWITZERLAND)

Municipality of Bernex Municipality of Plan-les-Ouates Republic and Canton of Geneva City of Geneva

INDIVIDUAL DONORS

The work of the OMCT is primarily made possible by contributions from institutional donors, for specific projects. However, the OMCT is fortunate to have also always been supported by individual donors who share our vision of a world without torture. This support is crucial as it increases the capacity of the OMCT and of its Network members to respond to crisis situations around the world.

INDIVIDUAL DONATIONS TO THE OMCT ARE USED MAINLY:

- to support victims of torture to recover from their injuries, seek justice, retrieve their dignity and rebuild their lives;
- to monitor places of detention where children are deprived of their liberty and protect them from inhuman treatment;
- to respond quickly to crises and urgent requests from antitorture organisations;
- to investigate violations and conduct new research on people most vulnerable to torture (women, children, minorities, refugees, etc.);
- to protect human rights defenders and their organisations around the world, enabling their anti-torture and other human rights work to continue.

FINANCIAL STATEMENT

Financially, the positive trend observed in 2017 has been confirmed in 2018 with a slight but continuous growth of grants and donations received, enabling an increase in the activities implemented and the consolidation of the OMCT's structure.

The majority of the organisation's funding, however, remains tied to specific projects and is shortterm (usually one to three years). The OMCT is continuing its efforts to raise unrestricted funds, in order to gain flexibility to better cope with emergencies, as well as to ensure the long-term stability of activities carried out in the field.

The complete audited OMCT accounts can be consulted on our website (www.omct.org).



DISTRIBUTION OF SPENDING BY CATEGORY



FINANCIAL STATEMENT 2018

INCOME STATEMENT FROM 1 JANUARY TO 31 DECEMBER 2018 - CHF

INCOME		3'925'782,66
Rights of the child	150'155.63	
Human rights defenders	745'368.98	
Committee Against Torture	786'036.22	
Programme for network mobilisation	817'260.80	
OMCT Tunisia	674'748.52	
Fundraising	83'070.31	
Communication	117'385.44	
TOTAL RESTRICTED FUNDS	3'374'025.90	
Federal, cantonal, communal grants	18'600.00	
Other governmental grants	20'000.00	
Foundation grants	242'074.07	
Private contributions	254'855.54	
Other donations	16'227.15	
TOTAL NON-RESTRICTED FUNDS	551'756.76	

EXPENDITURE		3'850'601,78
Rights of the child	152'997.75	
Human rights defenders	774'937.32	
Committee Against Torture	844'882.09	
Programme for network mobilisation	835'602.74	
OMCT Tunisia	680'302.18	
OMCT Europe	101'839.56	
TOTAL PROGRAMMES	3'390'561.64	
Fundraising	122'924.68	
Communication	115'015.77	
Administration	92'099.69	
Funds for emergencies and expert opinion	130'000.00	
INSTITUTIONAL TOTAL	460'040.14	

GROSS RESULT		75'180,88
FINANCIAL CHARGES		23'218,08
Financial charges	3'995.42	
Exchange rate difference	19'222.66	

ANNUAL RESULT (BEFORE VARIATION OF FUND CAPITAL)	51'962,80
VARIATION OF FUND CAPITAL	-2'398,87
ANNUAL RESULT (BEFORE ALLOCATION TO THE ORGANISATION'S RESERVES)	54'361,67
ALLOCATION (USE) OF FREE CAPITAL	54'361,67

EXECUTIVE COUNCIL

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Dick Marty / Switzerland Mokhtar Trifi / Tunisia

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TEAM

GENEVA

Management

Gerald Staberock, Secretary General Carin Benninger-Budel, Programme Director Radoš Piletić, Institutional Development Officer

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Nicole Bürli, Human Rights Adviser (Europe & Asia) Roemer Lemaître, Human Rights Adviser (Europe CIS) Ylva Lennartsson Hartmann, Human Rights Adviser (Europe & Asia)

Isidore Ngueuleu, Human Rights Adviser (Africa) Helena Solà Martín, Human Rights Adviser (Latin America)

Human Rights Defenders

Delphine Reculeau, Programme Director

Child Protection Against Torture Carolina Casotti Duque de Barbara, Programme Coordinator Victim Assistance & Network Programme

Stella Anastasia, Human Rights Officer & Network Coordinator

Institutional

Marc Aebersold, Accountant Lori Brumat, Head of Communications Halima Dekhissi, Administration Officer Yannis Gerassimidis, Finance and Fundraising Officer Laura Parisotto, Project Officer



OMCT Geneva team © OMCT

BRUSSELS

Miguel Martín Zumalacárregui, Head of Office

Programmes

Human Rights Defenders Marta Gionco, Human Rights Officer Juliette Cheanne, Human Rights Officer

TUNIS

Management

Gabriele Reiter, Head of office Samia Fraouis, Head of operations Mohamed Taraoui, Head of finance and administration

Programmes

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Camille Henry, Advocacy Coordinator

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Emtyez Bellali, Awareness Raising Coordinator Dhafer Ghrissa, Project Officer

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Achref Bouazizi, Logistics and Aministration Officer, SANAD Sidi Bouzid

INTERNS & VOLUNTEERS

The OMCT would like to thank all its interns and volunteers for generously contributing their time, energy, creativity and good spirits in 2018.

Achref Afi, Jana van Braeckel, Caitlin Corrigan-Orosco, Andrea Farres Jimenez, Agathe Hazelart Khouri, Amélie Höllmüller, Leire Ibañez Larrea, Daniel Jimenez Hita, Joelle Klein, Elisabeth McLaughlin, Maud Marchand, Jana Martinkova, Miranda Monserrat, Celia Pascual Fort, Fanny Randanne, Nicolas Rapin, Neomi Thijs, Mathilde de Watteville, Rebecca Naomi Van Der Weedt.



OMCT Tunis team © OMCT

PARIS: THE HUMAN RIGHTS DEFENDERS SUMMIT

At the end of October, 150 front line defenders came from the four corners of the globe to meet in Paris at the Human Rights Defenders World Summit, which was opened by Michelle Bachelet, the UN High Commissioner for Human Rights.

Twenty years after the first UN Declaration on human rights defenders and 70 years after the adoption of the Universal Declaration of Human Rights, participants discussed regional and global strategies to protect human rights defenders against the increasing attacks they are subjected to everywhere. The meeting, which OMCT co-organised, led to the adoption of a concrete Plan of Action calling on States as well as private companies, financial institutions, donors and intergovernmental bodies to protect defenders and to create an environment where it is truly possible to safely demand our rights. This text, a milestone for the human rights movement, was presented to the UN General Assembly in December, with the aim of having States – who are mainly responsible for violations against defenders, either directly or with the complicity of other, non-state actors – face their responsibilities.

Human Rights Defenders World Summit 2018, 31 October 2018. Paris, France. © OLIVIER PAPEGNIES / COLLECTIF HUMA



ACKNOWLEDGEMENTS

If we accomplished so much last year, it is thanks to our amazing network, here and around the world. Together we can win battles in our fight for human dignity!

First of all, I would like to thank our talented and committed team in Geneva, Brussels and Tunisia, and our interns who have made important contributions. Our SOS-Torture network and our partners all over the world are the true backbone of the OMCT, fighting against torture on all fronts. It is a privilege to be able to support these courageous people, who are persistent and creative in their resistance to human rights violations.

The members of the OMCT Executive Council and General Assembly work actively side by side, contributing their indispensable support. After serving for more than ten years as Treasurer, Anthony Travis left the position at the beginning of 2019. I would like to thank him for his support, advice and financial expertise throughout the years, and also for his friendship.

Thanks to our partners here in Geneva, to the International Film Festival and Forum on Human Rights (FIFDH) and to the Martin Ennals Foundation based in our offices, as well as its director, Michael Khambatta. And of course to our 11 partners in the European Mechanism for the Protection of Human Rights Defenders, a lever that multiplies our efforts.

It is really important for all of us in the OMCT to be able to count on the help and friendship of a support Committee that is growing thanks to its President, Isabelle de Montpellier. We are so happy to continue our joint project to widen the circle of support for those who rise up against torture in our societies.

None of our work would be possible without you, our generous donors, whether you belong to institutional funds, or count among the many private individuals, like Ms Gertrude Hirzel, whose deep sense of altruism has improved the lives of child detainees.

It is all of you who make the OMCT.

Gerald Staberock

Secretary General

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Front Cover

© Frayba, NGO partner in Mexico. Women from the civil society organisation Las Abejas de Acteal campaign against impunity following the Acteal Massacre (Chiapas), during which paramilitary groups killed 45 people and four unborn children on December 22, 1997.

Back Cover

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Afghanistan, Azerbaijan, Bangladesh, Bahrain, Benin, Belgium, Belorussia, Bolivia, Brazil, Burundi, Cambodia, Cameroon, Chile, Colombia, Democratic Republic of Congo, Guatemala, Honduras, Israel, Kenya, Morocco, Mexico, Occupied Palestinian Territory, Pakistan, Peru, Philippines, Russia, Saudi Arabia, Senegal, Sri Lanka, Sudan, Switzerland, Tajikistan, Thailand, Togo, Tunisia, United Arab Emirates, Venezuela, Zimbabwe.

If you would like to support the OMCT, you could consider making an occasional donation or a monthly donation.

Over a year, monthly donations enable us to...

CHF 10.- Make regular visits for a month to prisons where children are detained (Philippines 2018)

CHF 25.- Provide social support for one year to a victim of torture and their family (Congo 2015)

CHF 50.- Train two lawyers to defend child victims of torture and ill-treatment (India 2019)

CHF 100.- Provide security for a human rights defender and their family who have received death threats and help them to continue their work in exile (Honduras 2017)

Every donation counts. Thank you for your trust.



World Organisation Against Torture (OMCT)

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