

UNITED NATIONS



NATIONS UNIES

EXECUTIVE OFFICE OF THE SECRETARY-GENERAL

MESSAGE FROM THE SECRETARY-GENERAL
ON THE OCCASION OF THE 15TH ANNIVERSARY
OF THE WORLD ORGANISATION AGAINST TORTURE

Geneva, 18 February 2002



Torture constitutes an unacceptable violation of each human being's right to personal dignity. No circumstance, whatever its nature, can justify torture. This is the conviction shared by the many local and regional organisations which united their efforts fifteen years ago within the World Organisation Against Torture and its SOS-Torture network, a conviction that is expressed through determined action.

By intervening rapidly and in a carefully coordinated manner, the World Organisation Against Torture has been able to protect men and women throughout the world, and has sometimes even saved lives. However, its action is not limited to protecting victims, it also aims to prevent torture. Its programmes, which reflect the indivisibility, universality and interdependence of human rights, contribute to reinforcing the international mechanisms for the fight against torture.

The United Nations Organisation is also doing its utmost to eliminate torture by means of international conventions and through the activities of the United Nations High Commissioner for Human Rights. Realistically speaking, an ever closer partnership between civil society, governments and the United Nations is indispensable if we wish to pursue an effective struggle against the scourge of torture in the coming years.

That is why I thank the World Organisation Against Torture and am delighted to extend my warmest wishes and encouragement on the occasion of its 15th anniversary. We must firmly resolve to unite our efforts in banishing for ever such inhuman treatment. We must commit ourselves to working together to promote universal respect for the fundamental rights of all human beings. (Our translation)

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Torture Respects neither Creed nor Ideology



OMCT would like to extend its thanks to :

- Comité Catholique contre la Faim et pour le Développement (CCFD), France



- The Government of Finland



- The Government of France



- The Government of Liechtenstein



- Hans Wilsdorf Foundation ¹

FONDATION HANS WILSDORF
(MONTRES ROLEX)

- Migros, Switzerland



- NOVIB, Netherlands



- SIDA, Sweden



- Swiss Confederation



¹ Financing computer development at OMCT.

for their support for the general activities of OMCT.



“It is very positive indeed that your Council has made a decision to assist with my treatment. I cannot explain my happiness and great hopes that at long last, I will be able to have access to some specialized medical observation. (...) Lastly, you are indeed a great human rights organization that I will always live to remember, talk about and write about.”

*Zambia,
December 2001*

“On behalf of my family and myself, I thank OMCT for the support, aid and assistance from which I have benefited in my journey from my own country to here (...). Thanks to your organisation, I have escaped torture and death and my children can say we have a living father and my wife can also say I have a husband. I wish a long life to OMCT which plays a great role in saving people in danger around the world.” (sic)

*Democratic Republic of Congo,
July 2001*

“It is with great joy that I am writing this letter to thank you most sincerely and with all my heart for the efforts you have made to help my wife (...) and my friend (...) as they sought to trace me in the dark prisons and inaccessible cells of Rwanda. It is undoubtedly thanks to them and to their intervention that I was found alive and was able to escape just in time from the lynching that had been planned by criminals.

*Rwanda,
May 2001*



The OMCT network...

In 1986, a group of influential human rights advocates, including the then head of the UNESCO human rights division, Pierre de Senarclens; the Ex-Director of the UN Human Rights Division, Theo Van Boven; Eric Sottas, former adviser to the General Secretary of UNCTAD; Nobel Prizewinner Archbishop Desmond Tutu and Adolfo Perez Esquivel; heads of NGOs involved in defending human rights or humanitarian rights, such as Denis von der Weid, Adrien-Claude Zoller, François de Vargas and Jean-François Labarthe, as well as many other leading figures in the human rights movement, founded a new organisation, with the support of Jean-Jacques Gautier: the World Organisation Against Torture, known by its French acronym OMCT.

The World Organisation Against Torture (OMCT) was set up following a meeting of concerned international experts and national human rights organisations, who recognised the importance of national action in the fight against torture. The approach was, and remains to this day, radically different from that of other international human rights organisations. OMCT works on the premise that the long-term eradication of torture will not be achieved from Washington, London or Paris, but will instead result from struggles in the field. That is why OMCT's strategy is geared towards strengthening and supporting local and national initiatives.

Working within a network is not a privilege reserved for a few specialists devoted to the defence of human rights. In a world governed by instability, a forward-looking and well-structured approach takes on a new dimension. In today's business world, the companies that assert themselves are those that, having successfully completed their computerisation revolution, adopt a network structure as an efficient management model.

On the strength of fifteen years' experience, this option has proven remarkably effective. OMCT's reliability and authority are grounded in a bottom-up view of action which both guides and determines priorities. It is the local organisations, which are daily confronted with the problem of torture and massive human rights violations, that inform and guide OMCT's international strategy. This determination to serve victims through those who are on the front line and thus best acquainted with their needs and aspirations, constitutes the guiding principle of OMCT and dictates its *modus operandi*.

The role of the International Secretariat is defined by its members: human rights defenders and organisations which combat torture at the national level. Its role is to supply its members with the tools and services they need to carry out their work, by helping them to enhance



The shared hope of a future free from all torture

their effectiveness in preventing and denouncing torture, bringing the perpetrators of serious human rights violations to justice and providing assistance to victims.

OMCT does not claim to possess all of the solutions to such complex and difficult issues, but rather aims to respond as best as possible to the needs of local organisations in their fight to achieve respect for human rights. OMCT programmes provide national human rights organisations with tools in their struggle against torture.

A shared vision

In our view, a network enables each partner to increase the means at their disposal, heightening the effectiveness of the fight against torture, responding better and more quickly to constantly changing situations, to transformations and the changing needs of victims.

In the year 2001, there are no less than 260 organisa-

tions within OMCT, including many of the most efficient in their field of intervention, all of which share a common approach and vision in their struggle to uphold the same ideal.

The OMCT network is not a chat-room; its vocation is action which, where circumstances dictate, is accomplished in a strictly confidential manner, far removed from the media coverage which often proves dangerously counter-productive.

This report will inform readers about the tangible results achieved despite a huge imbalance of power, thanks to a shared approach within the network and to the complementarity of the operations undertaken.

In light of the constant increase in human rights violations and the need to better support any action in the fight against torture, OMCT must imperatively acquire the necessary means to pursue the struggle to which it is committed.



“
*Thanks to OMCT for the excellent Emergency Campaigns...
We are sure that the role of OMCT
Emergency Campaign Procedures and Urgent Appeals...
had an important impact in bringing the recent changes
in human rights situation in our country, Bahrain.*”

Bahrain Human Rights Organisation (BHRO),
member of the SOS-Torture network.

“
*The Board and staff of the Public Committee Against Torture in Israel
(PCATI) are very grateful for the warm and generous hospitality you
showed our senior advisor (...) who was in Geneva
for the meeting of the UN Committee Against Torture.
In our view, the collaboration between OMCT, PCATI and LAW in the writing
of the report to CAT and in Geneva was highly important and productive.
(...) Following the publishing of the report, representatives of LAW &
PCATI were invited to attend the “knesset” (Parliament) committee for
the advancement of children , and participate in a heated discussion
about the “Children Report” from the general report to CAT.*”

Public Committee Against Torture in Israel (PCATI),
member of the SOS-Torture network.

Torture Respects neither Creed nor Ideology




SOS-Torture :
mutual support
within a network of
partnerships
and solidarity

Nathalie Man


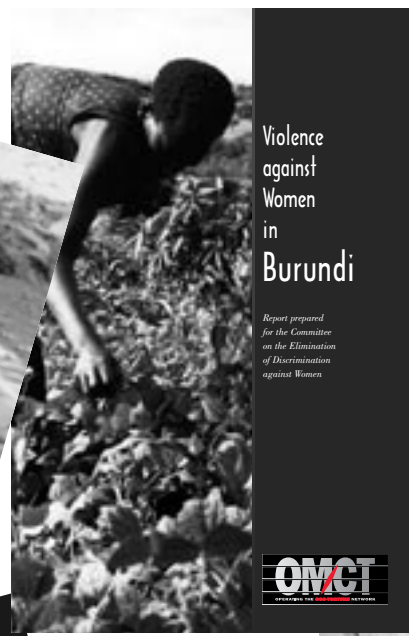
Enfants Torture et Pouvoir

La torture exercée sur les enfants par les Etats et les groupes d'opposition armés






Rights of the Child in the Democratic Republic of the Congo

Violence against Women in Burundi

Report prepared for the Committee on the Elimination of Discrimination against Women




Rights of the Child in ETHIOPIA




Rights of the Child in Guatemala




Violence against Women in Egypt

Report prepared for the Committee on the Elimination of Discrimination against Women




Rights of the Child in EGYPT





Highlights



Highlights

The struggle against impunity: two Tunisian ministers and an Israeli ambassador pursued by OMCT

Within the framework of the struggle against impunity, OMCT undertook numerous actions against presumed perpetrators of torture.

Among these campaigns, one of the most notable was the criminal complaint, lodged in Geneva with the Genevan judiciary on 14 February 2001, against Mr Abdallah Kallal, former Tunisian Minister for the Interior. One of the victims of this former minister, Mr Abdennacer Naït-Liman, having obtained refugee status in Switzerland, had contacted OMCT in order to examine the possibility of taking legal action against the person responsible for the torture to which he had been subjected who was in Geneva at the time. After examining the file, OMCT decided to support the complaint by Mr Abdennacer Naït-Liman and engaged François Membrez, an attorney at the Geneva Bar, to run the case. Despite the efforts of the judicial authorities in Geneva, the former minister managed to return to Tunisia before proceedings could be commenced. According to statements made by the Public Prosecutor responsible for the case, the complaint could be reactivated if the ex-minister were to return to Geneva.

On 24 August 2001, OMCT released a press statement denouncing the appointment of General Habib Ammar, former Commander of the National Guard and former Tunisian Minister for the Interior, as President of the Organising Committee for the Mediterranean

Games. The press statement described the torture methods used by Tunisian security services and police forces during the period when General Habib was in power. In the statement, OMCT recalled that “the fact that a person with the background of General Habib Ammar could be appointed to serve as president of the Organising Committee for the Mediterranean Games is in total contradiction with the Olympic spirit which is based on respect for human dignity” and “the educational value of setting a good example and respect for universal fundamental ethical principles.” (“Olympic Charter” - Fundamental Principles No.2).

At the November 2001 session of the United Nations Committee Against Torture, OMCT presented a document dealing with the legal issues raised by the appointment as Ambassador to Denmark of Carmi Gillon, former head of the Israeli security services. In this document, after recalling the practices used by the Israeli security services under the leadership of Carmi Gillon, OMCT pointed out the contradiction between the respect for diplomatic immunity enjoyed by any diplomat and the obligation to prosecute and punish all perpetrators of torture that is incumbent on States Parties to the Convention against Torture and other cruel, inhuman and degrading treatment or punishment. In conjunction with other human rights defence organisations, OMCT also urged the Danish authorities to oppose this accreditation.



Highlights

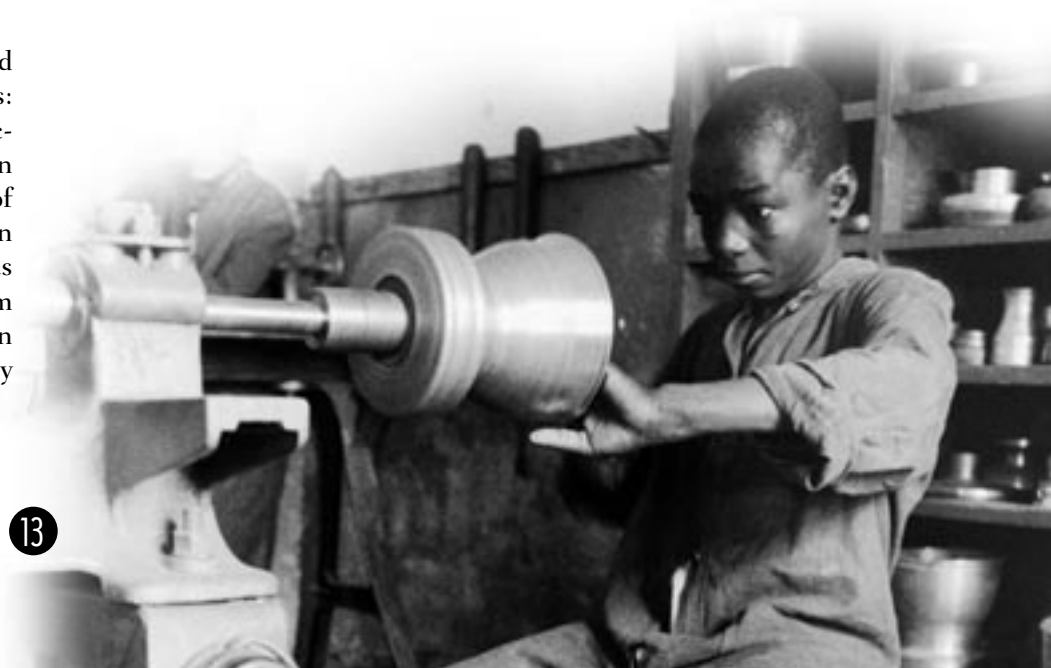
Conference of the International Labour Organisation (ILO): OMCT expresses concern about the persecution of trade unionists and the persistence of the worst kinds of child labour

From 5 to 21 June 2001, OMCT took part in the 89th Conference of the International Labour Organisation (ILO) which was held in Geneva. Delegations from each state were composed of representatives of workers, employees and governments, a structure conducive to tripartite dialogue and facilitating NGOs' contact with all parties involved in the debate. Several aspects of the ILO's activities have a bearing on the work of OMCT: child labour, women's labour, the security of trade unionists in countries where they are repressed because of their activities, slavery and related practices, problems linked to economic, social and cultural rights and particularly this year, the issue of workers in the Occupied Territories to whom a special debate was devoted.

The Commission for the application of ILO norms again examined the serious problems of insecurity facing Colombian trade unionists: more than 150 of them were assassinated during 2001. The protection program set up by the State is proving drastically insufficient in a country where trade unionists have become a prime target. One of them, Wilson Borja, who had been the victim of an attack in December 2000 during which he sustained three bullet wounds, was in the room and received a vibrant tribute from his colleagues from Colombia and elsewhere. Workers' rights are also trampled on in other countries, despite the commitments made by States, and any

demands expressed through strike action or other forms of protest are violently repressed and lead to arbitrary detentions that may in turn result in torture.

OMCT, which has several trade union organisations among the members of its network, regularly alerts the ILO to serious violations that come under its mandate. The Conference provides an opportunity to review States' responses to these concerns and to envisage new strategies to handle the most difficult situations.





Highlights

26 June 2001: United Nations International Day in Support of Victims of Torture

On the occasion of the United Nations International Day in Support of Victims of Torture, the six main NGOs combating torture that make up the CINAT (Coalition of International NGOs Against Torture) – Amnesty International (AI), the Association for the Prevention of Torture (APT), the International Rehabilitation Council for Torture Victims, the International Federation for Christian Action for the Abolition of Torture (Fi.ACAT), Redress Trust and the World Organisation Against Torture (OMCT) – published a brochure entitled: “Together against Torture”.

This brochure, with a preface by Mary Robinson, United Nations High Commissioner for Human Rights, presents the CINAT and the six organisations within it, as well as their activities. It appeared necessary to provide a more in-depth explanation of the specific nature of its organisation, as well as the close ties that bind them in their joint struggle against torture. For several years now, the united front presented by organisations combating torture has enabled them to exercise more effective pressure on States, particularly by reminding them

of the obligations ensuing from their ratification of the United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, or to other international instruments. The brochure concludes with a series of recommendations urging governments to take an unambiguous stand by preventing torture. It is a precious tool for any person in need of information or detailed arguments concerning the legal prohibition of torture and other cruel, inhuman or degrading treatment or punishment. This brochure is available on the OMCT web-site: www.omct.org





Highlights

Durban : OMCT insists on the link between racism and torture and demands the establishment of an effective monitoring mechanism

From 28 August to 7 September 2001, OMCT took part in the World Conference against Racism, Racial Discrimination, Xenophobia and related Intolerance, held in Durban, South Africa, and attempted to express the views of victims of torture and ill treatment perpetrated on the basis of racial discrimination.

Discrimination, in all forms, tends to relegate its victims to the rank of different or inferior beings. By doing so, it creates a climate in which torture and ill-treatment are more readily accepted.

The United Nations Committee Against Torture, like the other United Nations treaty-monitoring bodies, has repeatedly stated its concern about the use of torture and other cruel, inhuman or degrading treatment or punishment against vulnerable groups, including national or ethnic minorities, asylum seekers, refugees or non-nationals. The media regularly reports allegations involving many similar forms of discrimination, xenophobia and related intolerance, based on race, religion, language, membership of a minority or an ethnic group, or on gender, age, disability, sexual orientation, citizenship or any other situation.

For the first time, the past and the current reality of groups of





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victims such as Roma, untouchables, as well as victims of multiple forms of discrimination such as slaves and victims of forced labour, refugees, migrants, women or sexual minorities were discussed within such a conference. Despite numerous difficulties, the Durban Conference provided the starting point for a debate on the strategies that need to be implemented at the international, regional and national levels. The Programme of Action that was finally adopted after lengthy negotiations is characterised by a pragmatic and action-orientated approach.

In taking part in this conference, OMCT had set itself four goals:

- to reinforce the fight against racism in the administration of justice and to fight against discriminatory practices in the prison system;
- to develop prevention strategies which, by eradicating racism, eliminate related forms of violence, and particularly torture;
- to initiate and coordinate a network of national and international

NGOs active in the fight against racism and concerned with improving criminal justice;

- To ensure the establishment of a genuine and effective follow-up mechanism for the conference.

Both through its participation at the Durban Summit, and through its different statements before United Nations bodies, OMCT has regularly emphasised the vital importance of transparent procedures capable of enabling any person who has been subjected to ill-treatment or torture inflicted for discriminatory reasons, to enjoy equal access to justice.

The Working Group on “Criminal justice and penitentiary systems”, created jointly by OMCT and more than 50 NGOs, proposed a series of measures for the International Programme of Action. At the press conference on 7 September 2001, the United Nations High Commissioner for Human Rights, Mrs Mary Robinson, expressed her support for the work accomplished by the NGOs in the Working Group on “Criminal justice and penitentiary systems”.



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Moreover, aware that this programme of action could only be effective if a reliable monitoring mechanism makes it possible to guarantee its implementation, OMCT made a priority of ensuring that the Durban Summit adopted the principle of a permanent monitoring system with adequate human and financial resources. Within this context, the OMCT delegation lobbied for the creation of an anti-

discrimination unit within the High Commission on Human Rights and the establishment of a committee of independent experts responsible for monitoring the Durban Programme of Action.

In the coming years, OMCT hopes to raise enough funds to develop a programme to specifically address the issue of Racism and Torture.



Highlights

Nigeria: in the wake of the period of dictatorship, 60 Nigerian NGOs and OMCT meet in Lagos

From 12 to 17 October 2001 in Lagos, Nigeria, the World Organisation Against Torture (OMCT) and the Centre for Law Enforcement Education (CLEEN) held a training seminar for 60 Nigerian human rights organisations.

The aim of this seminar, following the dictatorship period which was characterised by widespread human rights violations, was to evaluate the current human rights situation in Nigeria and to provide appropriate training for participants. In particular, the seminar enabled an analysis of the way international human rights mechanisms operate (drafting alternative reports to the United Nations Committees, sending urgent communications to the various special rapporteurs and working groups) as well as regional ones (cooperation with the mechanisms of the African Commission on Human and Peoples' Rights). Participants agreed on the need to broaden their joint sphere of action.

At the close of this seminar, a drafting committee of 10 participating NGOs was set up in order to draft – in conjunction with OMCT and CLEEN representatives, along with a specialised human rights consultant who is an expert on Nigeria – a report on the human rights situation in the country. This report will be presented at the

United Nations Commission on Human Rights in March-April 2002, and officially in Nigeria on 29 May 2002, the anniversary of the coming to power of a democratic regime.





Highlights

Ensuring the primacy of human rights over economic and financial policies: OMCT takes part in the Fourth Inter-Ministerial Conference of the World Trade Organisation (WTO)

Despite the fact that international authorities in the field of human rights have reiterated on several occasions the primacy of human rights over commercial and financial policies, these statements have frequently not been followed through in practice. Such a dichotomy between economic policies and initiatives on the one hand, and state obligations in relation to the promotion and protection of human rights on the other, could well lead in the long term to the marginalisation of human rights principles, instruments and mechanisms.

It was with a view to guaranteeing the implementation of commercial agreements that are not detrimental to respect for human rights that OMCT took part in the Fourth Inter-Ministerial Conference of the World Trade Organisation (WTO) held in Doha, Qatar, from 9 to 13 November 2001.

Whereas the process of economic integration and increased exchanges has the potential to ensure a better spread of wealth and an improvement in living conditions, the current functioning of the international trading system actually jeopardises the very goals which

led the international community, in the aftermath of World War II, to create a multilateral trading system.

Due to a lack of transparency within the WTO, the content of agreements such as those on intellectual property and services, combined with a refusal to recognise any responsibility on the part of economic and trade organisations in the area of human rights, is bound to have definite implications for the universal enjoyment of these rights.

If the current trade system really intends, as has been repeatedly stated, to promote sustainable development, diminish poverty in the world and reduce inequalities, it will need to move beyond the contradiction between, on the one hand, a conception of economic integration as inextricably linked to liberalisation, and on the other, a “human rights” system requiring regulations, justice and non-discrimination.

In this respect, OMCT asked the WTO in Doha to provide an evaluation of the impact of trade agreements on respect for human



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rights, to guarantee that human rights are one of the cornerstones of negotiations on services, as well as to promote the development of a binding interpretation of the agreement relating to intellectual property by guaranteeing its social function and by referring explicitly to human rights. In order to achieve these goals, OMCT also raised the

issue of opening up the WTO to other international bodies, particularly by setting up an accreditation system for NGOs, and lobbying for the creation of observer status for other international organisations such as the Office of the High Commissioner for Human Rights and the International Labour Organisation (ILO).





Highlights

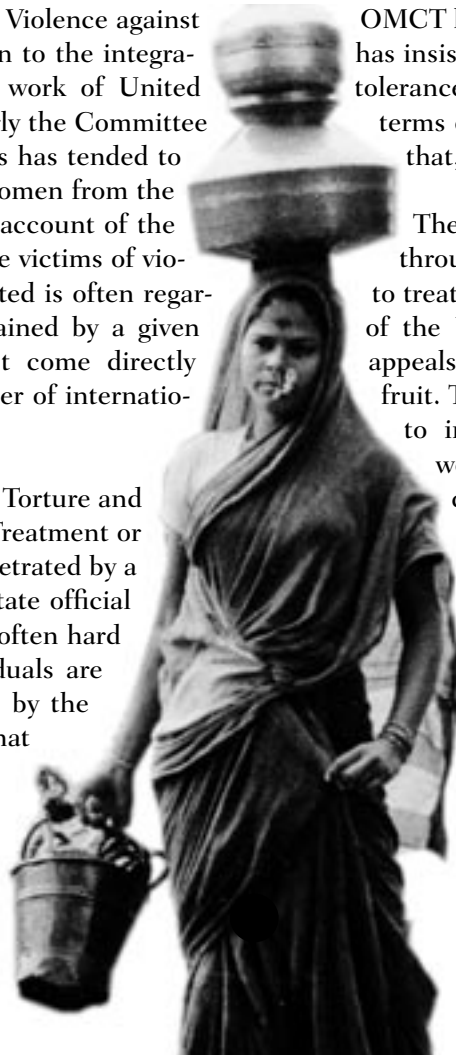
United Nations Committee against Torture: OMCT requests that the Committee integrate a gender perspective into its activities

For the past two years, within its Programme on Violence against Women, OMCT has devoted particular attention to the integration of a gender-specific perspective into the work of United Nations treaty-monitoring bodies, and particularly the Committee Against Torture. In the past, the United Nations has tended to consider issues related to the human rights of women from the specific angle of discrimination, without taking account of the entire range of consequences for women who are victims of violence. The violence to which women are subjected is often regarded as a common-law crime that can be explained by a given socio-cultural context, and therefore does not come directly under the field of application of a certain number of international human rights conventions.

For example, article 1 of the Convention against Torture and other forms of Cruel, Inhuman and Degrading Treatment or Punishment stipulates that the act must be perpetrated by a person acting in an official capacity or that a State official must have acquiesced in the act. In reality, it is often hard to show that certain acts committed by individuals are only possible because they are widely tolerated by the authorities. In the large number of reports that

OMCT has presented to the Committee Against Torture, it has insisted on the fact that in the most serious cases, this tolerance must be considered as acquiescence under the terms of article 1 of the Convention against Torture and that, consequently, States must be held responsible.

The intensive work of OMCT in this field – including through the submission of gender-specific information to treaty bodies and to the non-conventional mechanisms of the United Nations, lobbying and circulating urgent appeals relating to violence against women – has borne fruit. The Committee against Torture has recently begun to integrate a gender-specific dimension within its work. Whereas in the past, this Committee only dealt with the situation of women through general categories – such as rape and sexual crimes committed by State agents, abuse directed against female members of the families of people detained or in exile, segregation of men and women prisoners and the situation of pregnant women – in 2001 it began to deal in its final conclusions with gender-specific forms of torture and ill-



Torture Respects neither Creed nor Ideology



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treatment committed by individuals, including trafficking in women, domestic violence and rape.

OMCT is very encouraged by this major breakthrough, in so much as violence against women by private individuals has traditionally been considered as outside the scope of the Convention against

Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, whereas violence against women is particularly prevalent in private life.

OMCT is the only human rights NGO to submit alternative reports on gender-based form of violence to the Committee Against Torture.





Highlights

Tampere: OMCT adopts a new programme of action on children, torture and other forms of violence

From 27 to 30 November 2001, OMCT held an International Conference on Children, Torture and other forms of Violence. The Conference was attended by the United Nations High Commissioner for Human Rights, Mrs Mary Robinson, the President of the Committee against Torture, Mr Peter Burns, the President of the United Nations Committee on the Rights of the Child, Mr Jaap Doek, as well as many representatives from international agencies within the United Nations system and from the regional human rights mechanisms. Finally, several governmental representatives took part in the conference as observers.

At the close of three days of discussions, the Conference unanimously adopted the Tampere Declaration which calls for the establishment of new international mechanisms in the fight to eradicate violence against children. In particular, the Conference undertook to support the following three recommendations:

Tampere declaration (extracts)

“We recommend:

To the United Nations and UN-related bodies:

1. That the UN Commission on Human Rights appoint a Special Rapporteur on Violence against Children in order to, inter alia, solicit, receive and exchange information and communications, including individual complaints and on systematic violations, from all relevant sources, including from children themselves, on any form of violence or ill-treatment they may be subjected to, as well as its causes and consequences; to undertake



¹ The complete text of the Tampere Declaration is available at <http://www.omct.org/>.



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investigations; and to take appropriate, including urgent actions. The Special Rapporteur should, as part of his or her work, interact with all relevant UN mechanisms, with relevant regional bodies and with national and international NGOs, and seek the views of children.

2. That the UN Secretary-General appoint an internationally-respected independent expert to head a well-qualified team to conduct the in-depth international study on violence against children requested by the UN General Assembly, and that the study be conducted in line with the recommendations set out by the

Committee on the Rights of the Child, consulting all relevant sources including children;

3. That the Committee on the Rights of the Child produce General Comments on the provisions relating to children and violence in the Convention on the Rights of the Child, in particular articles 19 and 37, taking into account the special vulnerability of children to torture and other forms of violence, and that violence may affect different children in diverse ways, depending on factors including age, sex, and disability, and underlining states parties' obligations to prevent and remedy such violations;"

General Activities of OMCT

COUNTRIES	URGENT APPEALS BILATERAL COMMUNICATIONS	PRESS RELEASES	INTERVENTIONS BEFORE INTERNATIONAL AND REGIONAL MECHANISMS	REPORTS TO UNITED NATIONS COMMITTEES	URGENT ASSISTANCE TO VICTIMS OF TORTURE
Afghanistan	---	X	X	---	---
Albania	---	---	X	---	---
Algeria	X	X	X	---	X
Argentina	X	---	X	---	---
Armenia	---	---	X	---	---
Australia	X	X	---	X	---
Azerbaijan	---	---	---	X	---
Bahrain	X	---	X	X	---
Bangladesh	X	X	X	---	---
Belarus	---	X	X	---	---
Belize	X	---	---	---	---
Benin	---	---	X	---	---
Bolivia	X	X	X	X	---
Bosnia-Herzegovina	X	---	---	---	---
Botswana	---	---	X	---	---
Brazil	X	X	X	---	X
Burkina Faso	---	---	X	---	X
Burundi	---	---	X	X	X
Cambodia	---	---	X	---	---
Cameroon	X	---	X	X	X
Chad	X	---	X	---	---
Chile	X	---	X	---	X
China, Republic of	---	---	X	---	X
Colombia	X	X	X	X	X
Congo-Brazzaville	X	---	X	---	X
Congo, Democratic Rep.	X	---	X	X	X
Costa Rica	---	---	X	---	---
Croatia	X	---	X	---	---
Cuba	X	---	X	---	---
Czech Republic	---	---	X	X	---
Democratic People's Rep. of Korea (South)	---	---	X	---	---
Denmark	---	X	---	X	---
Dominican Republic	---	---	X	---	---
Ecuador	X	X	X	X	---
Egypt	X	X	X	X	---
El Salvador	X	---	X	X	---
Ethiopia	X	---	X	X	X
France	X	X	X	X	---
Gambia	---	---	X	---	---
Georgia	X	X	X	X	---
Ghana	---	---	X	---	---
Greece	X	X	X	---	---
Guatemala	X	X	X	X	---
Guinea	---	X	X	---	X
Guinea-Bissau	---	---	X	---	---
Guyana	---	---	X	---	---
Haiti	X	---	---	---	---
Honduras	X	---	X	---	---
India	X	---	X	---	---
Indonesia	X	---	X	X	---
Iran, Islamic Rep.	X	---	X	---	X
Iraq	---	X	---	---	X
Israel	X	X	X	X	X
Italy	---	---	X	---	---
Ivory Coast	---	---	---	---	X
Jamaica	---	---	X	---	---
Japan	X	---	X	---	---
Jordan	X	---	X	---	---
Kazakhstan	X	---	---	---	---
Kenya	X	---	X	X	---

COUNTRIES	URGENT APPEALS BILATERAL COMMUNICATIONS	PRESS RELEASES	INTERVENTIONS BEFORE INTERNATIONAL AND REGIONAL MECHANISMS	REPORTS TO UNITED NATIONS COMMITTEES	URGENT ASSISTANCE TO VICTIMS OF TORTURE
Korea, Republic of (South)	X	---	X	---	---
Kyrgyzstan	X	X	X	---	---
Lao People's Democr. Rep.	---	---	X	---	X
Lebanon	---	X	---	---	---
Lesotho	---	---	X	---	---
Liberia	---	---	X	---	---
Libya	X	---	---	---	X
Madagascar	---	---	X	---	---
Malawi	---	---	X	---	---
Malaysia	X	---	X	---	---
Mali	---	---	X	---	---
Mauritania	X	---	X	---	---
Mauritius	---	---	---	---	---
Mexico	X	---	X	---	---
Moldova	---	---	X	---	---
Mongolia	---	---	X	---	---
Morocco	X	X	---	---	X
Mozambique	---	---	X	---	---
Myanmar	---	---	X	---	---
Namibia	X	---	X	---	---
Nepal	X	---	X	---	---
Nicaragua	X	X	X	X	---
Niger	---	X	X	---	---
Nigeria	---	---	X	---	X
Oman	---	---	X	---	---
Pakistan	X	---	X	---	---
Palestine	X	X	X	---	---
Panama	X	---	X	---	---
Papoua New Guinea	---	---	X	---	---
Paraguay	X	X	X	X	---
Peru	X	---	X	X	---
Philippines	X	---	---	---	---
Romania	---	---	X	---	---
Russian Fed. (Chechnya)	---	X	X	---	X
Russian Federation	X	---	X	---	X
Rwanda	X	---	X	X	---
Saudi Arabia	X	---	---	---	---
Senegal	X	---	X	X	---
Sierra Leone	---	X	X	X	X
Slovak Republic	X	---	---	---	---
Soudan	X	---	X	---	X
South Africa	---	---	X	---	---
Spain	X	---	X	---	---
Sri Lanka	X	---	---	X	---
Swaziland	---	---	X	---	---
Switzerland	---	---	X	X	---
Syrian Arab Republic	X	---	X	---	---
Tajikistan	---	---	---	---	---
Tanzania, United Rep.	X	---	---	---	---
Thailand	---	---	X	---	---
Togo	X	---	X	---	---
Trinidad and Tobago	---	---	X	---	X
Tunisia	X	X	X	---	---
Turkey	X	X	X	X	X
Turkmenistan	---	---	X	---	X
United Kingdom	X	X	X	---	---
Uganda	---	---	X	---	---
Uited Arab Emirates	X	---	---	---	---
Ukraine	---	---	---	X	---
United States	X	---	X	---	---
Uruguay	---	---	X	---	---
Uzbekistan	X	---	X	---	---
Venezuela	---	---	X	---	---
Vietnam	X	---	X	---	---
Yougoslavia, Federal Rep.	X	---	---	---	---
Zambia	---	---	X	X	X
Zimbabwe	---	---	X	---	---



Programmes



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Urgent campaigns and Special procedures: reliability, rapidity and precision

Urgent campaigns

The Urgent Campaigns Programme, which handles OMCT's urgent appeals, remains the core mission and constitutes the very raison d'être of the organisation. The Urgent Campaigns Programme continues to demonstrate the tremendous potential of the SOS-Torture network. In 2001, thanks to the SOS-Torture network – made up of around 250 national, regional and international NGOs – OMCT intervened 515 times in 70 countries. These interventions dealt with cases of massive human rights violations or serious threats to the fundamental rights and freedoms of individuals. In 152 of these cases, OMCT acted following direct attacks threatening the independence, activities and even the very existence of associations or organisations.

The effectiveness of the Urgent Campaigns Programme depends both on the speed of reaction and the appropriateness of the action of the International Secretariat, based on rapid and reliable communication strategies with network members, as well as the quality of intervention of its targeted recipients (intergovernmental bodies, specialised organisations and individuals).

“As a professional, I have appreciated the clarity with which you

present your allegations and, in many cases, the basic information and details that are included. I admire the fact that you analyse and circulate information around the world, thereby helping numerous individuals in need of this procedure. I salute your tireless efforts!”
(United Nations 1503 Procedure)

Since its creation in 1986, the Urgent Campaigns Programme has striven to respond to the needs of local human rights NGOs and to support and reinforce their efforts in the fight against torture and other serious human rights violations. This Programme provides a wide variety of support and assistance:

- Bilateral communications addressed to States;
- Widespread circulation of information to specialised institutions in order to create international solidarity;
- Processing and transmission of information by the International Secretariat to local organisations and the relevant regional and international mechanisms;

The Urgent Campaigns are mainly aimed at:

- anticipating and preventing acts of torture or other serious human rights violations;



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- putting an end to the crimes denounced;
- fighting against the impunity of perpetrators;
- obtaining appropriate and adequate reparations for victims.

These objectives are achieved thanks to the combined strength and solidarity of members of the SOS-Torture network (currently the world's largest NGO network involved in the fight against torture) with the International Secretariat. One of the great strengths of the SOS-Torture network lies in the diversity of its members: "traditional" human rights organisations; organisations working in particular fields such as trade unions, lawyers' or doctors' associations, organisations for the defence of economic, social and cultural rights; or those involved in the defence of the fundamental rights of women and children.

Even through individual interventions deal directly with specific cases, it is important to bear in mind that one tangible secondary result of urgent campaigns is the prevention of further violations. Denouncing violations, mobilising public opinion and fighting against the impunity of those responsible for these acts creates a climate that is propitious to combating the emergence of new violations.

Speed and relevance

As the programme's very name implies, the ability to react swiftly to allegations of human rights violations is crucial to the effectiveness of the intervention. Moreover, the success of a campaign is inextricably linked to the reliability of the information on which it is based.

With this in mind, members of the SOS-Torture network closest to the place where the crimes are committed identify the human rights violations, evaluate and verify the information and, where necessary, suggest a specific mode of intervention, thereby ensuring the smooth flow of the urgent appeals system. On its side, the International Secretariat is responsible for following up and supporting these initiatives, identifying the appropriate regional and international procedures and mechanisms for dealing with the case, and taking joint action intended to raise awareness of the recipients – targeted according to their field of activity and their ability to take effective action – in order to ensure that their intervention is appropriate and that a positive outcome is rapidly achieved.

Urgent interventions must be designed in such a way as to ensure fast and efficient processing of information by recipients, while faci-



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litating the action of the relevant regional and international organisations and mechanisms, as well as individuals who can thus join solidarity campaigns as quickly as possible. In addition to targeted circulation of urgent appeals, the latter are posted on a daily basis on the OMCT web-site, which is proving an excellent means of communication, awareness-raising and campaigning. Finally, OMCT is continuing to adapt to technological developments so that these more sophisticated tools may be systematically used to further increase the scope and effectiveness of urgent appeals.

Special Procedures

The Special Procedures Programme serves as a complement to the Urgent Campaigns Programme, by facilitating victims' and local NGOs' access to the various specialised mechanisms that may be used in the fight against torture, particularly within the United Nations System. The goal of this programme is to provide legal and practical support to victims and local NGOs wishing to avail themselves of the various procedures within UN bodies such as the Committee against Torture and the Committee on Human Rights.

Active participation in the examination procedure of United Nations treaty-monitoring bodies, such as the Committee against Torture, provides the Programme with a valuable opportunity to turn the





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spotlight on the situation of victims, within the setting of a specialised international forum. It is also a significant means of achieving the essential changes in legislation relating to the practice of torture, of verifying the application of the law in concrete cases, as well as ensuring the adoption of specific mechanisms that play a fundamental role in the prevention of torture and other serious violations of human rights.

The development of international instruments, as well as the struggle to ensure these are applied in concrete cases, also constitutes a major aspect of this programme.

Within the Special Procedures Programme, alternative reports were submitted to the Committee against Torture which met from 12 to 23 November 2001. These reports were prepared jointly or in cooperation with local NGOs or those specialised in a particular country.

In the case of Israel, the reports were prepared in conjunction with two NGOs that are members of the SOS-Torture network: one Israeli one – the Public Committee Against Torture in Israel (PCATI) – and the other Palestinian – The Palestinian Society for the Protection of Human Rights and the Environment (LAW). Due to the complexity of the situation, a decision was taken to draft and present three reports dealing in a specific manner with various situa-

tions in Israel, the Occupied Territories and the particular situation of children.¹

In the case of Indonesia, another country experiencing considerable tensions, OMCT submitted a report entitled Comments on the Initial Report of the State of Indonesia Concerning the Implementation of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in cooperation with the Indonesia Human Rights Campaign (TAPOL). Since this was an initial report, OMCT focused the alternative report on Indonesia on the general human rights situation prevailing in the country.

During sessions of the Committee, representatives of LAW, PCATI and TAPOL travelled to Geneva with the support of OMCT in order to take part in the briefing sessions organised by NGOS for the Committee against Torture. Many of the conclusions and observations made by the Committee against Torture reflect the concerns and observations brought up in these various reports.

¹ The three reports mentioned are: : Comments on the Third Periodic Report of the State of Israel Concerning the Implementation of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; The Treatment of Detained Palestinian Children by the Israeli Authorities; The Policy of Closure, House Demolitions and Destruction of Agricultural Land.

Annual
Report
2001

Urgent
Campaigns

Country	N° of Appeals	Bilateral Interventions	N° of Victims	General Appeals Programme		Women's Programme		Children's Programme		ESCR* Programme		Defenders Programme		Arbitrary Arrests + Detention		Incommunicado Detention	
				N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims
Algeria	3	1	7 + 1 org	1	4							2	3 + 1 org	2	4	1	3
Argentina	7		65 + 3gps + 8 orgs	1	1 + 1 gp	1	1	1	30	2	30+2 gps +8 orgs	2	3				
Australia		1	22											1	22		
Bahrain	4	1	21 + 1 gp	4	21 + 1 gp									2	16		
Bangladesh	6		11	4	2							2	9	1	1	1	1
Belize	1		1	1	1												
Bolivia	4		26 + 1 gp + 5 orgs							2	23 + 1 gp + 5 orgs	2	3				
Bosnia-Herzegovina	1		1										1				
Brazil	5		44	2	40							3	4	1	39		
Cameroon	4		23 + 1 gp	4	23 + 1 gp									3	20		
Chad	9	2	53 + 2 gps + 2 orgs	7	49 + 1 gp			1	1 + 1 gp			1	3 + 2 orgs	2	13	1	1
Chile	1		1									1	1				
Colombia	57	2	684 + 83 gps + 2 orgs	30	568 + 31 gps	2	2 + 1 gp + 1 org			1	50 + 51 gps	24	64 + 1 org	2	36		
Congo-Brazzaville	1		19	1	19									1	19		
Croatia	1		3									1	3				
Cuba	1											1	1				
Dem. Rep. of Congo	56	3	620 + 3 gps + 13 orgs	31	172 + 2 gps + 2 orgs	1	1 gp	6	430			18	18 + 11 orgs	19	516 + 1 gp	13	64
Ecuador	4	3	10 + 2 orgs	1	1							3	9 + 2 orgs				
Egypt	8	1	88 + 1 gp + 3 orgs	2	57 + 1 gp	2	2					4	29 + 3 orgs	3	59		
El Salvador	1		1 + 1 org									1	1 + 1 org				
Ethiopia	3		43 + 2 orgs					1	41			2	2 + 2 orgs	1	2		
Gambia	1	1	1									1	1	1	1		
Georgia	1		4 + 2 orgs									1	4 + 2 orgs				
Great Britain	1	1	1	1	1												
Greece	13	2	100 + 11 gps	10	99			1	1	2	11 gps			5	45	1	14
Guatemala	14		21 + 1 org	2	1	4	7	3	7			5	6 + 1 org				
Honduras	7		100 + 1 gp			2	2	3	52	1	45 + 1 gp	1	1	2	30		
India	12		156 + 6 gps + 2 orgs	3	58 + 2 gps			2	6	5	86 + 4 gps + 1 org	2	6 + 1 org	3	34		
Indonesia	2		19 + 3 orgs	2	19 + 3 orgs									1	19		
Iran	2		2									2	2				
Israel/Occupied Territories	53	1	511 + 3 gps + 1 org	29	28	3	10	14	432 + 1 gp	5	40 + 2 gps	2	1 + 1 org	12	342	11	15
Japan	1	1	1														
Jordan	2		7 + 1 org	2	7 + 1 org									1	7		
Kazakhstan	1		1	1	1									1	1	1	1

*ESCR: Economic, Social and Cultural Rights

gp = human rights violation affecting a group of people

org = human rights violation affecting a non-governmental organisation

OMCT's Urgent Appeals also treated cases concerning large groups of internally displaced persons, notably in Colombia (over 12,000 persons) and India (over 71,000 persons).

Ill-treatments		Torture		Forced disappearances		Death in Detention		Aggression and other attacks		Extra-judicial killings		Death Penalty		Threats and Harrassment		Refolements		Releases
N° of Appeals	N° of Victims	N° of appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Releases
1	1	1	1											2	3			1
		1	1					3	61					5	5 + 1 gp			
		1	22					1	22									
								1	5 + 1 gp									9
		1	1					1	1					1	1	1	1	9
												1	1					
		1	1					3	20 + 1 gp + 5 orgs	1	5			4	4 + 2 orgs			
														1	3			3
		1	37							3	3			2	2			
1	1	1	1			1	1			1	3							5
1	1 + 1 gp	2	13					6	40 + 1 gp	1	5			1	2			12
		3	29	20	141			9	87 + 8 gps	34	242			33	124 + 23 gps + 2 orgs			6
1	19															1	19	
1	1	1	1					1	1									
																		1
8	40 + 1 gp	14	153	1	2	3	3	5	9 + 1 gp	1	1	3	17	15	21 + 1 gp	1	1	91
		1	1							1	1			3	9			
2	6 + 1 gp	2	5			1	1							2	3			
														1	1			
				1	1			1	41									
		1	2					1	3					1	1 + 2 orgs			
4	26	4	15					2	2 + 11 gps					3	7 + 4 gps	1	34	4
2	12			1	1			3	3					6	11			
								1	13	3	54			2	2 + 1 gp			
		1	3					6	117 + 3 gps	7	21			2	2 + 2 gp			20
1	12	1	12															16
18	405 + 1 gp	12	317					4	251	5	11			4	205			3
		1	1															
								1	1 + 1 org					1	7			7

Country	N° of Appeals	Bilateral Interventions	N° of Victims	General Appeals Programme		Women's Programme		Children's Programme		ESCR* Programme		Defenders Programme		Arbitrary Arrests + Detention		Incommunicado Detention	
				N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims
Kenya	2		71 + 1 org	2	71 + 1 org									1	71	1	71
Korea, Republic of	4	1	84 + 1 gp + 2 orgs	2	19 + 1 org					2	65+ 1 gp + 1 org			4	41		
Kyrgyzstan	10	1	12 + 2 orgs	1	2							9	10 + 2 orgs	6	10		
Lebanon	1											1					
Libya	4		168 + 2 orgs	4	168 + 2 orgs									3	222	3	114
Malaysia	21	2	128 + 1 gp	18	123 + 1 gp			2	4			1	1	9	121	6	21
Mauritania	3		4 + 1 org	2	3							1	1 + 1 org	1	1	1	1
Mexico	10	2	59	2	49			2	1			6	9	1	5		
Morocco	7		117 + 2 orgs	3	78	1	1					3	38 + 2 orgs	1	33		
Namibia	1		3									1	3	1	2		
Nepal	4	2	6	2	4							2	2	2	4		
Nicaragua	1		1									1	1				
Nigeria	1		1			1	1										
Pakistan	3	1	1	1								2	1	1	1		
Palestine	10		15 + 1 org	8	14			1	1			1	1 org	5	11	2	2
Panama	1	1															
Paraguay	2		265					2	265								
Peru	2		2 + 1 gp + 1 org	1	1					1	1 + 1 gp + 1 org						
Philippines	2		2 + 1 gp	1	1					1	1 + 1 gp			1	1		
Russian Fed. (Chechenia)	2	1	3									3	3	3	3		
Rwanda	2		7	2	7									1	6	1	6
Saudi Arabia	2		7	1	4			1	3								
Senegal	1	1	1 + 1 org									1	1 + 1 org	1	1		
Soudan	20	2	69 + 6 orgs	14	63 + 3 orgs			1	1			5	5 + 3 orgs	12	27	3	8
Spain	4		25 + 1gp					4	25 + 1 gp					2	12		
Sri Lanka	14		21	5	13	6	5	2	2			1	1	6	18		
Syrian Arab Republic	2		10 + 1 org	1	8							1	2 + 1 org	1	8	1	8
Tanzania	1		3 + 1 org									1	3 + 1 org	1	1		
Togo		1	7														
Tunisia	20	2	17 + 5 orgs	3	2							17	15 + 5 orgs	3	3		
Turkey	15	3	273 + 1 gp + 11 orgs	6	252 + 1 gp + 1 org	1	1					8	20 + 10 orgs	3	208		
United Arab Emirates	1		5	1	5									1	5		
United States	1		1					1	1								
Uzbekistan	7		12 + 1 gp + 1 org	4	10 + 1 gp							3	2 + 1 org	2	5		
Vietnam	3		3									3	3	1	1		
Yugoslavia, Federal Rep.	4		65					1	2	3	63 + 8 gps						
Totals	475	40	4135 + 123 gps + 88 orgs	223	2068 + 43 gps + 14 orgs	24	32 + 2 gps + 1 org	49	1305 + 3 gps	25	404 + 83 gps + 16 orgs	152	296 + 57 orgs	137	2047 + 1gp	47	330

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OMCT's Urgent Appeals also treated cases concerning large groups of internally displaced persons, notably in Colombia (over 12,000 persons) and India (over 71,000 persons).

Ill-treatments		Torture		Forced disappearances		Death in Detention		Aggression and other attacks		Extra-judicial killings		Death Penalty		Threats and Harrassment		Refolements		Releases	
N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Releases	
								1	71 + 1 org									71	
								1	64 + 1 gp									9	
3	4	2	2											1	1			1	
1	16	1	16									1	16						
3	17	2	0					2	44					3	2 + 2 gps			94	
														1	4				
1	1	2	4	1	1			1	1	3	3			9	51				
		2	41	1	1									6	9			27	
				1	1									1	1				
								2	4					1	1				
														1	1				
1	1	1	1																
																		1	
1	1	3	3				3	3			2	4		1	1			1	
2	265 + 1 gp	2	265					1	1										
									1 org					1	1				
		1	1					1	1 + 1 gp					1	1 + 1 gp			1	
														2	2				
				2	7									1	1				
																		4	
		2	24	1	1			2	19 + 1 org	2	3			2	2			6	
2	12	2	12												1 gp	3	25		
4	5	4	5					1	1	1	1			2	3			1	
														1	1				
2	2	2	2					5	5					8	8			1	
2	206	2	2	2	207		1	1	1	10	2	7		4	209	1	205	1	
1	5	1	5				1	1								1	4		
2	2	3	2	1	1		1	1	2	3	1	1		1	4 + 1 gp			1	
														3	3				
2	5							2	32					2	60				
67	1066 + 5 gps	82	1001	32	364		11	11	71	933 + 27 gps + 9 orgs	68	365	5	34	141	779 + 37 gps + 6 orgs	9	289	406



Torture Respects neither Creed nor Ideology



Programmes

OMCT would like to thank:

- The Government of The Netherlands
- The Government of the United Kingdom



United Kingdom Mission

for their support to the Urgent Campaigns
and Special Procedures Programmes of OMCT.

Torture Respects neither Creed nor Ideology



Programmes

Victims : responding rapidly to complex needs

The decision in 1986 to set up the Urgent Assistance to Victims of Torture fund was dictated by the imperative need expressed by members of the SOS-Torture network to respond immediately and in an appropriate manner to the needs of men, women and children who are victims of this scourge. Over the years, a growing number of cases have arisen to which OMCT attempts to respond in an appropriate manner, combining various forms of medical, social and/or legal assistance.

Thanks to around 250 NGOs known for their credibility and reliability in more than 95 countries and in a position to identify and verify the requests for urgent assistance submitted by the victims, OMCT is able to provide the first most pressing assistance at a minimum cost and within a very short space of time. Moreover, OMCT can also rely on the indispensable partnership of centres renowned for their treatment of torture victims, some of which are members of the SOS-Torture network.

“I am writing to thank you for the support you gave me in the procedures for my transfer from xxx to xxx. This heart-felt gesture which I most sincerely appreciate is the very symbol of international solidarity and undoubtedly proves that “the OMCT network is not about discussion: its vocation is action.”

*August 2001,
Cameroon*

**Statistics for 2001
Urgent Assistance to Victims of Torture**

Country	Number of cases	Number of victims
Algeria	1	7
Brazil	1	1
Burkina Faso	1	0
Burundi	2	3
Cameroon	2	2
Chad	2	2
Chile	2	2 ¹
China	1	1
Colombia	3	7
Republic of Congo	1	1
Democratic Republic of Congo	28	83 ²
Ethiopia	1	1
Guinea	1	1
Iran	1	1
Iraq	1	1
Israel	1	15
Ivory Coast	1	1
Libya	2	12
Mexico	1	1
Morocco	2	0
Nigeria	1	1
Russian Federation	1	2
Sierra Leone	2	2
Sudan	1	1
Togo	1	1
Tunisia	3	3
Turkey	1	3
Zambia	1	1
Total	66	156

¹ Cases of collective assistance are not taken into account within the tally of the number of victims.

² Idem.



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Medical assistance

Since OMCT is not a centre specialising in the treatment of torture victims, it cannot provide medical assistance in the form of consultations, surgery or psychotherapy. However, through the network of member NGOs, it can ensure that victims have access either to the medicine they need, or the sums required to cover the initial costs of hospitalisation or appropriate treatment:

Among the cases it dealt with in 2001, OMCT was able to cover

- total or partial payment of medical expenses required by the physical and/or psychological state of the victim;
- financing transfer costs to a centre specialising in the treatment of victims of torture;
- costs engendered by establishing an independent psychological evaluation indispensable to prosecuting the perpetrators of the torture to which victims have been subjected, as well as to their treatment.





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At the request of a member organisation of the SOS-Torture network, OMCT agreed to cover the expenses arising from the establishment of an independent forensic report, indispensable to the prosecution of the perpetrators of the torture suffered by a Mexican citizen, born in 1973, who was arrested and tortured by the judicial police of the Chiapas State.

Detained from 3 to 7 July 1997, the victim was forced to admit to participating in a theft, and then a kidnapping. Under torture, he eventually signed a document, which he was unable to read, and which turned out to a confession. The NGO which made the request fears that this document may be used against him. It is therefore vital to have an independent forensic report as well as a psychological appraisal, with the two-fold aim of clearing the victim and, on the other hand, of prosecuting the perpetrators of the torture he underwent. Moreover, these elements will enable an evaluation of the medical treatment indispensable to rehabilitating the victim.

After examining the case, and considering that this victim risked being deprived of his fundamental rights while the perpetrators enjoyed total impunity, OMCT decided to cover these expenses.



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Social assistance

Victims of torture may also require social assistance and urgent “protective action”. Indeed, it frequently occurs that torture or victims or people threatened with torture must immediately leave the country where they are under serious threat or face inextricable social difficulties due to losing their job, arrest or arbitrary detention, and sometimes the loss of all their possessions. The situation is all the more tragic when the victim was the provider of the family. In these circumstances, just as when expatriation is involved, OMCT may decide to grant a sum for a limited period of time to enable the victim to overcome the most serious difficulties.

In the cases it dealt with during 2001, OMCT was able to assist through:

- help in seeking employment
- covering accommodation and subsistence costs in a temporary host country;
- covering evacuation expenses to a host country, as part of a “protective action” or to help reunite a family;
- providing exceptional financial to help the victim’s family survive;
- covering the costs engendered by interventions to help prisoners regain their freedom (press releases, urgent interventions).

At the request of a member organisation of the SOS-Torture network, OMCT agreed in July 2001 to cover the costs involved in establishing official documents – passports, marriage certificates, birth certificates, certificates of nationality, attestation of family composition, vaccination certificates and visas – for the wife, born in 1964 and the 7 children (four daughters and three sons, born in 1984, 1986, 1988, 1990, 1992, 1994 and 2001) of a human rights defender from the Democratic Republic of Congo (RDC). This human rights defender, who was subjected to torture while in detention, was able to





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obtain legal assistance from OMCT in 2001 covering the legal costs arising from the treatment of his request for political asylum (cf. file RDC 496/01/2001).

As soon as this human rights defender succeeded in leaving the RDC, his family was subjected to harassment by the security services, a mode of surveillance which forced the family into hiding. In January 2001,

four of the family members were taken in and threatened by these same agents, before being released.

Given that the threats were becoming increasingly insistent and the host country had approved the application for family regroupment, OMCT agreed to cover the cost of the various administrative procedures enabling the family to be reunited.





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Legal assistance

Torture victims often require legal assistance when (1) they have been able to leave the country and are seeking political asylum in a host country; (2) they have denounced the practices to which they are subjected and in some countries thereby need foreign lawyers less subject to pressure from local authorities, including judicial authorities (in these circumstances, OMCT can take part with other NGOs in missions to the relevant courts, or even send lawyers to visit the prisoners and in some cases handle their defence); (3) they are appealing to the courts to bring the perpetrators of the crimes against them to justice; and (4) they wish to obtain compensation or redress from the relevant courts or funds and other services from various national or international bodies.

In the cases it dealt with during 2001, OMCT was able to ensure:

- intervention with the relevant international and regional mechanisms to have an inquiry opened concerning the circumstances of a victim's death in detention;
- verification of the allegations of asylum seekers by a member orga-

nisation of the SOS-Torture network, as part of their procedure for requesting political asylum;

- coverage of legal costs involved in victims' defence
- coverage of legal costs resulting from processing requests for political asylum and within the framework of expulsion or refoulement procedures;
- coverage of costs engendered by procedures attempting to annul confessions extracted under torture and/or to prosecute the perpetrators;
- intervention with representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR) in order to accelerate the resettlement procedure for victims still in danger in the temporary host country and thereby avoid them being expelled to their home country where they are at risk of torture;
- regular discussions with victims or members of their family in order to analyse cases and provide legal advice;
- compilation of files on the victims, recounting the facts, the interventions made by OMCT, describing them in legal terms, and highlighting any factor liable to support the asylum request that has been lodged;
- examination of the request for an appeal submitted by victims to the relevant authorities, handling the file that has been put together



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with the relevant authorities in order to avoid refoulement of the victim (arguments based on article 3 of the Convention against Torture and other cruel, inhuman and degrading treatment or punishment).

OMCT was able to obtain legal assistance on behalf of an Iraqi citizen, born in 1975, whose request for asylum in a European country had been rejected. A member of a Kurdish family belonging to the

patriarchal Djafé clan, this young woman was obliged to leave her country due to a marriage which her family wished to impose on her. The fact that the threat of an enforced marriage still persists – since her brothers have not given up searching for her – was not taken into consideration by the relevant authorities.

OMCT thereby intervened within the framework of the appeal





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procedure, not only based on the arguments put forward by these same authorities, but also by underscoring Iraq's failure to fulfil its obligation to prevent, investigate and punish acts of violence committed against women in the name of honour, a failure which thereby engages State responsibility.

This danger is indeed not contested by the arguments put forward by the authority in charge of examining the asylum request, since the latter admits that women in Northern Iraq cannot oppose the role traditionally reserved for them, without experiencing extremely serious family and social problems. Strangely, however, the authority concludes from this that it is extremely unlikely that a woman subjected to such pressures would brave the dangers and flee her country.

OMCT also recalled that the authorities themselves had recognised the absence in Northern Iraq of a force with a political will or capacity to provide effective protection for women facing this type of violence.

Consequently, OMCT concluded that an expulsion would imply great danger, since she would not be protected from her family by any authority whatsoever. An emphasis was also placed on the fact that those responsible for crimes committed in the name of "honour" against Kurdish women in Iraq generally went unpunished or were given light sentences, the defence of "honour" being accepted as an exonerating or alleviating circumstance and women threatened with sullyng the honour of the family being powerless to defend themselves.

OMCT, in the relevant reports it submitted to the United Nations Committee Against Torture, emphasised that unpunished honour crimes were to be considered a form of torture, insofar as state agents show an attitude of passive complicity. The Committee against Torture indeed drew the attention of several States to these issues. Consequently, OMCT recalled the obligations of the host country in light of article 3 of the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment.

Torture Respects neither Creed nor Ideology



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OMCT wishes to thank :

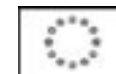
- Caritas/Geneva



- Caritas/Switzerland



- The European Commission



- The OAK foundation



- The United Nations Voluntary Fund for Victims of Torture



for their support to the Urgent Assistance to Victims of Torture programme of OMCT.



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Children: towards greater effectiveness in the fight against torture and other forms of violence against children

OMCT International Conference – children, torture and other forms of violence: facing the facts, forging the future

OMCT, in conjunction with the Mannerheim League for Child Welfare (Finland) and under the auspices of the United Nations High Commission on Human Rights, held an international conference on children, torture and other forms of violence in Tampere (Finland) from 27 to 30 November 2001. This conference brought together 183 participants from 73 countries representing national and international NGOs, as well as other organisations and observers from governments and international intergovernmental organisations. At the close of three days of discussions, the Conference unanimously adopted the Tampere Declaration calling for the establishment of new international mechanisms to combat violence inflicted on children.

During the Conference, thematic workshops examined various forms of violence against children with a view to preparing a programme of action detailing concrete, realistic and measurable goals to achieve the long-term eradication of torture and other cruel, inhuman and degrading treatment or punishment; arbitrary arrests; extrajudicial executions, forced disappearances and other more



subtle forms of violent repression against children. The conference identified the strategies aimed at preventing violence inflicted on



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children, as well as on eradicating this violence and on ensuring that victims receive adequate and appropriate reparations.

In particular, the workshops dealt with the following themes:

- The prevention of torture and violence against children;
- The system of justice for minors and children's institutions
- Justice, reparation and compensation. The rehabilitation and reintegration of child victims;
- Violence within the family, sexual violence and their relationship to child trafficking;
- Slavery, debt servitude and their relationship to child trafficking;
- The interpretation of torture within the framework of children's rights;
- The establishment of an international mechanism to address violence against children.

Moreover, regional groups also met to suggest action plans tailored to the specific needs of each region.

Urgent appeals

In the course of 2001, OMCT denounced cases and situations of

serious violations of children's rights committed in all regions of the world. Once again this year, street children were one of the most groups most frequently subjected to violence.

In Honduras, more than 1000 children and young adults living or working in the street have been killed since January 1998. More than half the victims were aged between 16 and 17 and 22% of them were not yet 15. Despite the gravity of the situation, the vast majority of these cases have not yet been investigated or prosecuted. Even though it is often difficult to identify the real perpetrators of these murders, evidence has shown that some of the children have been killed by security forces (Case HND 241001.CC).

In May 2001, OMCT also denounced a cruel and inhuman policy adopted by the Ethiopian government against street children in Addis Ababa. According to information received from the Ethiopian Human Rights Council, a member of the SOS-Torture network, the government, starting in February 2001, adopted a policy of getting rid of these children by taking them outside the city and abandoning them in forests inhabited by wild animals (Case ETH 080501.CC).

OMCT also intervened on behalf of children ill-treated because they



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belong to ethnic minorities such as the Roma in Greece (Case GRE 170901.CC), or in the Federal Republic of Yugoslavia (Case YUG 031001.CC), as well as to demand an end to the practice of torture and other forms of ill treatment against children in detention, particularly in Israel (Case ISR 050401.9CC) and in Paraguay (Case PRY 070300.1CC).

Submission of alternative reports to the United Nations Commission on the Rights of the Child

During 2001, OMCT submitted nine alternative reports to the Committee on the Rights of the Child. These alternative reports were intended to highlight the legislative gaps in the protection of children's rights which States, for obvious reasons, do not mention in their own reports. The countries dealt with in the OMCT reports were: Ethiopia, Egypt, the Democratic Republic of the Congo, Turkey, Guatemala, Paraguay, Kenya, Cameroon and Bahrain. They were written in partnership and with the support of members of the SOS-Torture network and other partners at national and local levels.

- The torture and other ill treatment to which children are subjected remains widespread and the perpetrators often enjoy complete





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impunity: this may involve beatings, electric shocks; immersion in cold water and sexual abuse while in detention (Turkey and Paraguay); rape, harassment and intimidation of girls in the street by civilian police (Guatemala).

- Children's vulnerability to torture and ill treatment increases when children belong to groups that are marginalised either economically or socially or to minorities: for example, street children in Guatemala, Kurdish children in Turkey and children belonging to the Shi'ite minority in Bahrain.
- Gender discrimination is another major cause of torture and violence against children. The situation of girls is particularly worrying in that they are more frequently exposed to attacks on their physical and psychological integrity than boys. Female genital mutilation has long been considered a traditional practice not directly involving the international human rights defence mechanisms. Nonetheless, this situation has begun to change over the last few years and it is now more widely agreed that these mutilations may in some cases be deemed tantamount to torture. In the reports presented this year, OMCT focused on this practice in countries such as Egypt, Ethiopia, Cameroon and Kenya.





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- States of emergency as well as exceptional state security measures often pave the way for abuses of power, arbitrary arrests and detention of children (Turkey), or even disappearances and summary executions in the worst cases (Cameroon).
- The administration of corporal punishment to children in detention, in school or within the family is still widely tolerated in certain cultures. The administration in schools of blows resulting in death has been reported in Kenya, and sentencing to corporal punishment is still legal in detention centres in Ethiopia.
- Generally speaking, it is children in conflict with the law that are most liable to be subjected to torture and other cruel and inhuman treatment, or to punishments that are profoundly prejudicial to their

well-being, their moral and psychological development or their right to life, in the case of the death sentence. In the Democratic Republic of Congo last year seven former child-soldiers were sentenced to death. For five of them, the death sentence was commuted to a life sentence in prison. Child prisoners are often held in inhuman conditions, suffering from malnutrition, various diseases due to poor hygiene, and a total absence of the educational and recreational facilities that could prepare them for reintegration within society (Congo and Paraguay).

The reports published by OMCT are available on its web-site and may be requested from its International Secretariat.



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Promoting the rights of the child on an international level

2001 was an extremely intense year in terms of the attention focused on children within the international agenda. Two preparatory committees were held in New York in January and June in order to prepare for the United Nations' General Assembly Special Session on Children, and the Second World Congress against the Commercial Sexual Exploitation of Children which took place in Yokohama in December. OMCT participated in these events and contributed to them by promoting the need to take account of the rights of children to be protected from torture and other cruel, inhuman and degrading treatment or punishment. A laudable goal, but one which is hard to achieve.

The first draft of the final document of the United Nations Special Session on Children, which was tabled during the Preparatory Committee, placed the main emphasis on traditional themes relating to the well-being of the child, such as nutrition and education, making scarcely any reference to the Convention on the Rights of the Child and failing to draw any inspiration from it. Themes linked to child protection were almost entirely absent and no reference was





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made to the fundamental right of children to be protected against torture and ill treatment perpetrated by those whose primary responsibility it is to protect children. Although disappointing, this result was hardly surprising, since the text was based on the structure of the first summit meeting devoted to children which was held in 1991. Nonetheless, the community of NGOs active in the field of children's rights deemed that the significant progress achieved as a result of the almost universal ratification of the Convention on the Rights of the Child could not be overlooked. Viewed in this light, the Special Session could provide a major opportunity to consolidate the legal entitlements provided by the Convention and for States to reaffirm their recognition of the fundamental principles expressed therein, to bring their legislation into compliance with the requirements of this international instrument, and even to improve the recognised rights.

The goal OMCT had set itself, both within the caucus on the rights of the child and the caucus on violence against children, was to draw the attention of the Special Session to children's rights to be protected from torture and other cruel, inhuman and degrading treatment or punishment. At this stage, it is difficult to measure the effect of OMCT's interventions, since the final document will only be pub-

lished following the conclusion of the Special Session in May 2002. While this document, in its current provisional draft form, recalls States' obligation to protect children against torture and other cruel, inhuman and degrading treatment or punishment, and contains a brief and rather weak recommendation on juvenile justice, one cannot help being concerned by the major conflict aroused by any reference to the abolition of the death sentence against children. One must recall at this stage that the Convention on the rights of the child, ratified by all States except the United States and Somalia, formally forbids the application of the death penalty for any crime committed before the age of 18.

Even though certain States have demonstrated their commitment to an approach based on children's rights, others continue to oppose this conception by adopting a more paternalistic position favouring the rights of those responsible for children. It must be pointed out, however, that even among the States that have recognised that a child is, as such, entitled to these rights, many continue to pursue policies which are actually not in accordance with this philosophy. This challenge is both worrying and encouraging. Worrying because often the most open positions turn out to be purely formal, bearing little relation to the facts, and encouraging because States are



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thereby providing a forum for negotiations which may result in genuine progress. It is important to note that NGOs accepted this evolution more readily, but that much remains to be done to overcome resistance and fears. It should also be said that, generally speaking, there have been no attempts to reject the rights-based approach to issues such as the torture of children. Unfortunately, as is daily demonstrated by the work of OMCT, article 37 of the Convention on the Rights of the Child, which in particular absolutely forbids the use of torture on children, is far from being respected, whether in States' national legislation, official policies or daily practice.

OMCT's work in promoting the rights of the child continued within the framework of the United Nations Commission on Human Rights. OMCT lobbied hard on the text of the resolution regarding the rights of the child and organised a parallel meeting on the need for a new international mechanism to protect children against violence. During this meeting, Ambassador Leandro Despouy, President of the 57th session of the Commission on Human Rights, publicly supported OMCT's proposal to create a post of Special Rapporteur on violence against children. Moreover, OMCT was able to ensure that the resolution on children recommends that an international study on violence against children be undertaken. The work

carried out by the OMCT delegation regarding the promotion and defence of children's rights was widely recognised by the NGO community, which appointed OMCT as the head of the Sub-Group in charge of coordinating NGO input into the Commission on Human Rights. This new obligation shouldered by the International Secretariat will involve additional efforts in 2002, not only to guarantee that the objectives OMCT had set itself for at the international conference be met, but also in order to take account of all of the concerns of the other NGOs participating in the Sub-Group.

In Yokohama, OMCT actively contributed, with the Sub-Group on juvenile justice, to drafting a joint statement on this theme. This declaration insisted strongly on the fact that child victims of abuse and sexual exploitation must not under any circumstances be "criminalized". This principle had already been established in Stockholm, but did not appear in the Plan of Action adopted at the First World Congress against the Commercial Sexual Exploitation of Children. Nonetheless, in recent years a reversal of this trend has emerged and was strongly apparent among certain delegations in Yokohama. OMCT is delighted that the Commitment adopted at the end of the Second World Conference in Yokohama took a clear stand against the criminalisation of child victims of sexual exploitation.

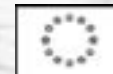
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OMCT wishes to thank:

- The Agence intergouvernementale de la Francophonie
- The European Commission
- The Fondation de France
- The Fondation Tell et un Tel
- Misereor
- The OAK Foundation



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as well as a donor who wishes to remain anonymous

for their support to the Children's Programme of OMCT.



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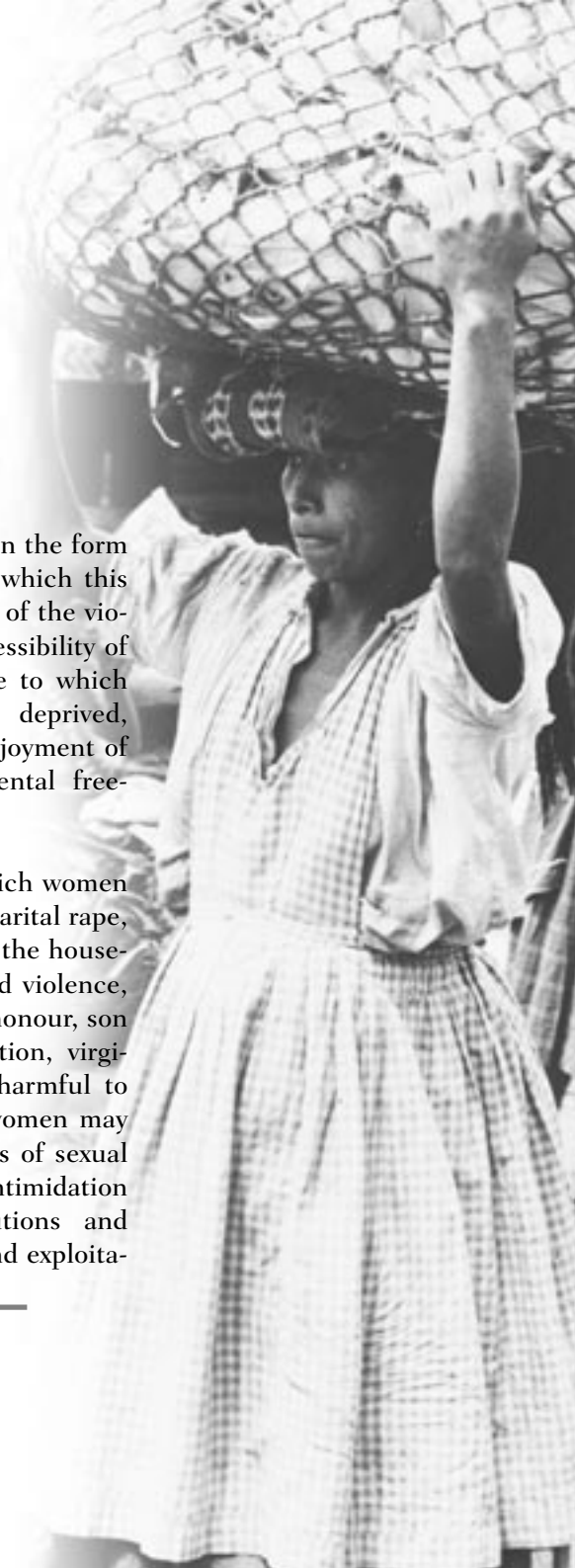
Violence against Women: a threefold strategy

In 1996, OMCT started a special programme to focus on the issue of violence against women. The idea of establishing the “Threefold Strategy” was born in 1999, when OMCT was carrying out research on violence against women which looked at developments regarding the integration of a gender perspective into the work of the United Nations human rights treaty bodies and examined, from a legal and factual perspective, violence against women in 78 countries.

Overall, the study found that, although progress had been made by the treaty bodies in integrating a gender perspective into their work, much remained to be done. Moreover, the study made it abundantly clear that, although there are some encouraging signs of progress in the development and implementation of new legislation and procedures with respect to violence against women in every region of the world, women and girls continue to suffer from violence as a result of their gender. The information received from the different sources illustrates that states are overwhelmingly failing in their international as well as in their national obligations to prevent, investigate, prosecute and punish violence against women. Although different social, cultural and political contexts give rise to different forms of violence, its prevalence and patterns are remarkably consistent, spanning national and socio-economic borders and cultural identities.

Gender has a considerable effect on the form of violence, the circumstances in which this violence occurs, the consequences of the violence, and the availability and accessibility of remedies. Because of the violence to which they are subjected, women are deprived, either partially or totally, of the enjoyment of their human rights and fundamental freedoms.

The many forms of violence to which women are subjected include; battering, marital rape, sexual abuse of female children in the household, dowry and bride-price related violence, crimes committed in the name of honour, son preference, female genital mutilation, virginity testing, and other practices harmful to women. Within the community, women may be victims of rape and other forms of sexual violence, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and exploita-





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tion of prostitution of women, violence against migrant women workers, and violence perpetrated or condoned by the state. Moreover, some groups of women such as women in custody, family members of political opponents, women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural and remote areas, girls, women with disabilities, elderly women and women in situations of armed conflict are especially vulnerable to violence.

The “Violence against Women Programme: A Threefold Strategy”

aims to fight against torture and other forms of violence against women world-wide and is based on three activities which are complementary and which draw their strength from other OMCT programmes, which have proved consistently effective in the fight against torture and other forms of violence. In all its activities, the Violence against Women Programme works in close partnership with national NGOs. This programme intends to contribute to the building of mechanisms within the United Nations and at the country level in order to prevent violence against women, including torture directed against women.





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Urgent Appeals on Violence against Women

The diffusion of urgent appeals specifically dedicated to violence against women (which OMCT has done since 1996) has raised awareness of the problem of violence against women within all of the member organisations that make up the SOS-Torture network. OMCT has noticed a marked improvement in the gender-sensitivity of the information it receives from the SOS-torture network, which is important for the identification and analysis of the causes and consequences of violence against women and which has enabled OMCT to unearth and document a increased number of cases of torture and ill-treatment of women. It has also made it easier to target NGOs, institutions and other bodies that have considerable influence in the field of the protection and promotion of women's rights.

Furthermore, these urgent appeals constitute important sources of information for the United Nations Special Rapporteur on Violence against Women, the Special Rapporteur on Torture, and the Special Rapporteur on extra-judicial, summary or arbitrary executions.





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Submission of alternative country reports on violence against women to the United Nations Committee on the Elimination of Discrimination against Women

OMCT submitted four alternative country reports on “Violence against Women in Egypt,” “Violence against Women in Burundi,” “Violence against Women in Nicaragua,” and “Violence against Women in Vietnam,” to the United Nations Committee on the Elimination of All Forms of Discrimination against Women in 2001. The choice of countries was based on the agenda of the Committee, the human rights situation prevailing in the country and the availability of reliable information.

In submitting alternative reports to the Committee on the Elimination of Discrimination against Women (CEDAW), OMCT seeks to provide factual information concerning violence against women, including torture, in a specific country as well as to high-

light the legal provisions, both penal and civil, of the States concerned, which discriminate against women or which, without being discriminatory as such, become so through their application. Providing information on violence against women is of the utmost importance as the Convention on the Elimination of All Forms of Discrimination against Women does not specifically prohibit violence against women. Although the Committee has adopted a General Recommendation entitled “Violence against Women”, in which it explicitly states that gender-based violence is a form of discrimination against women that is prohibited by the Convention, many States continue to be silent on violence against women, in particular torture, in their periodic reports to the Committee.



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Submission of alternative country reports on violence against women to the “mainstream” United Nations Human Rights Treaty Bodies

OMCT’s objective in submitting information relating to violence against women to the “mainstream” United Nations Human Rights Treaty Bodies (the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination, the Committee against Torture and the Committee on the Rights of the Child) is to ensure that women’s concerns and violations of their human rights are included within the purview of these committees and are given full attention.

Although the Convention on the Elimination of All Forms of Discrimination against Women is an important tool for the protection and the promotion of the human rights of women, it has tended to isolate human rights violations against women from the “mainstream” human rights treaty bodies. States parties have often also neglected the situation of women in their reporting to these treaty bodies. OMCT aims to fill this gap through the submission of gender-inclusive and gender-sensitive country information and reports to the different treaty bodies.

During the year 2001, OMCT submitted ten alternative country reports on violence against women to the following five “mainstream”

United Nations human rights treaty monitoring bodies: six country reports to the Committee against Torture on Bolivia, Georgia, Indonesia, Israel, Ukraine and Zambia; one country report to the Human Rights Committee on Azerbaijan; one country report to the Committee on the Rights of the Child on Turkey; one country report to the Committee on Economic, Social and Cultural Rights on Senegal; and one country report to the Committee on the Elimination of Racial Discrimination on Sri Lanka. The choice of countries was based on the respective agendas of the five Committees, the human rights situation in the country and the availability of reliable information.

The ten reports reflect OMCT’s main concerns relating to violence against women which should be taken into consideration by the treaty bodies in order to achieve gender equality. They examine, from a de jure and from a de facto point of view, violence against women by state officials as well as by private individuals. The reports end with conclusions and recommendations meant as tools for the treaty bodies and States as well as for national NGOs, members and non-members of the SOS-Torture network, in their struggle against violence against women.



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Crimes against Women Committed in the Name of Honour

During the 57th Session of the United Nations Commission on Human Rights, OMCT organised a panel on crimes against women committed in the name of honour. The speakers invited were: Ms Asma Jahangir, UN Special Rapporteur on Extra-judicial, summary or arbitrary executions; Ms Alicia Perez-Duarte, Counsellor of the Permanent Mission of Mexico to the United Nations, Geneva, and expert on gender issues; Ms Rana Husseini, Journalist of the Jordan Times and involved in the campaign to eliminate “honour crimes” in Jordan; Mr Dr B Doza, National Advisor of the Bangladesh Human Rights Commission and doctor of internal medicine in Bangladesh.

As an organisation fighting against torture, summary executions, forced disappearances, and all other forms of cruel, inhuman or degrading treatment, OMCT is extremely concerned about the issue of “honour” crimes. In different parts of the world, perpetrators of crimes against women committed in the name of honour often go unpunished, receive reduced sentences or are exempted from prosecution on the grounds of “honour”. The defence of honour is accepted as an exonerating or mitigating circumstance.

Husbands, fathers or brothers have gone unpunished after murdering their wives, daughters or sisters in order to defend the “honour”

of the family or their own “honour”. The killing or mutilation occurs when a woman allegedly steps outside her socially prescribed role, especially, but not only, with regard to her sexuality and to her interaction with men outside her family.



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OMCT wishes to thank :

- The European Commission
- ICCO, The Netherlands



for their support to the Violence against Women Programme of OMCT.



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Globalisation and human rights: economic, social and cultural rights as an integral part of the fight against torture

In 1991, at its General Assembly held in Manila, OMCT took the decision to grant significant importance to socio-economic issues in its struggle against torture, summary executions, forced disappearances and any other cruel, inhuman and degrading treatment.

The underlying idea expressed in Manila by members of the OMCT is that while the denunciation of any violent situation remains essential, it must be accompanied by a broader approach aimed at developing a socio-economic environment conducive to a reduction in the causes of such phenomena. The orientations adopted in Manila, based on a study published by OMCT in 1989 for the first meeting of the Least Developed Countries (LDCs), began to take shape and were confirmed during the 1990s on the basis of various seminars organised in Africa and Asia. From the

perspective of the struggle against torture, the emergence of a socio-economic climate ensuring full enjoyment by all individuals of their economic, social and cultural rights becomes the logical and complementary counterpart to the other programmes developed within OMCT.

The process of economic and financial globalisation, which excludes more than half the world's population in terms of both its benefits and participation, makes the need to take account of this socio-economic dimension even more pressing. Nonetheless, this enhanced awareness is also accompanied by even greater complexity, both in terms of the factors influencing respect for human rights in a given country, and regarding the pressure exercised by the human rights system as a whole.



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Non-state actors responsible for human rights violations: transnational corporations and international financial and commercial institutions



Whereas on the basis of the international and regional Conventions and Covenants in the field of human rights the responsibility lies with the States, other actors currently wield undeniable influence over respect for human rights, whether regarding a particular situation or a State's capacity or willingness to guarantee respect for them. Among others, these actors include transnational corporations, international financial institutions such as the World Bank and the International Monetary Fund (IMF), as well as institutions charged with guaranteeing respect for regional or international trade agreements. Thus, while the legal obligations in the area of human rights remain unchanged, the impact of such an evolution in the field – i.e. on the individuals who are victims of violations – requires not only the elaboration of new strategies and coalitions, but also the broadening of the sphere of action to encompass institutions or forums outside the human rights system.

By way of example, during the year 2001, OMCT intervened in individual cases of threats, extra-judicial executions and torture in Honduras and in Peru involving transnational corporations. This daily work of denunciation was systematically accompanied by highly specific recommendations to the State in which these violations took place, to the transnational company in question, as well as to the



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authorities in the company's country of origin. The fact that OMCT reports to the human rights treaty bodies on violence and violations of economic, social and cultural rights in certain countries, as well as OMCT's cooperation with the working group of the Sub-Commission on transnational corporations – aimed at drafting a binding instrument capable of regulating the activities of these companies – supports, completes and reinforces this daily work of denunciation. Thus, on the basis of an alternative report presented by OMCT to the Committee against Torture, the latter, in its final observations on Indonesia¹, expressed its concern about the abuses committed by military personnel recruited by transnational corporations in order to protect their premises or to put a stop to the work of trade unionists. Likewise, following OMCT's intervention in the Working Group of the Sub-Commission on transnational corporations, the question of torture was integrated within the group's draft on the creation of a binding instrument.

The same reasoning underlies the approach taken of denouncing violations through an analysis of the human rights situation at the national level, combined with more in-depth work aimed at modi-

fying existing structures based on an examination of the relationship between human rights on the one hand, and international financial institutions or regional and international trade agreements on the other. In the course of 2001, particularly through urgent interventions on India and South Korea, OMCT showed how the implementation of programmes or projects imposed by international financial institutions such as the World Bank or the IMF can lead to human rights violations including torture, cruel, inhuman and degrading treatment as well as extra-judicial executions. The reports presented by OMCT on the Czech Republic and on Senegal during 2001 also demonstrate how, following the implementation of economic reforms under the aegis of the World Bank or the IMF, certain vulnerable groups have faced a deterioration in their situation in terms of protection against torture and cruel, inhuman and degrading treatment. These interventions are backed up by a dialogue that has been initiated with the international financial institutions, as well as by working within the various human rights mechanisms.

Thus, in addition to the necessity of providing an immediate response to violations of economic, social and cultural rights in order to provide the necessary support to victims, there is also action on national, regional and international levels. These various fields of

¹ United Nations. Doc. CAT/XXVII/concl. 3.



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intervention represent essential and complementary elements, in order to guarantee the emergence of a socio-economic climate in which the risks of torture and other violence may be significantly reduced.

Urgent interventions regarding “Economic, Social and Cultural” rights: assistance to victims

Over the past year, OMCT has sent out more than 20 urgent appeals under the “economic, social and cultural” rights heading. As is shown by these appeals, OMCT does not claim to denounce all cases of violations of economic, social and cultural rights, but is focusing on those that have engendered or are liable to lead to torture and other serious violations (forced disappearances, summary executions, etc.), coming within the OMCT mandate. These urgent interventions also deal with crimes for which the State is not always directly responsible, but stem from the practices of certain economic or financial entities.

Through these interventions, OMCT intends to facilitate rehabilitation of victims as well as to ensure that they receive compensation for damage sustained. Moreover, these urgent appeals have the advantage

of clearly explaining how the international, regional or national socio-economic context may have a preponderant influence on a given situation, enabling them to set forth specific recommendations able to act upon the causes of a violation and to guarantee it is not repeated.

During 2001, OMCT intervened on situations in Argentina, Bolivia, Colombia, South Korea, Greece, Honduras, India, Israel, Peru, the Philippines and Yugoslavia.

Presentation of alternative reports to United Nations committees: influencing national situations

While in many countries violations of economic, social and cultural rights appear to be widespread, the causes of these violations as well as their link with the emergence of torture, summary executions, forced disappearances and cruel, inhuman and degrading treatment have not been widely studied. Presenting United Nations committees with reports incorporating these two dimensions helps to fill this void as does the formulation of specific and exhaustive recommendations enabling both enhanced respect for economic, social and cultural rights in a given country, and contributing to the emer-



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gence of a socio-economic culture in which the risks of torture and other forms of violence may be significantly reduced.

By way of example, a report on Zambia presented to the Committee against Torture and entitled *Zambia : Violations of Economic, Social and Cultural Rights, Violence and the Protection against Torture* analyses the negative impact of structural adjustment policies on rights such as the right to employment, the right to education, the right to health and the right to food, and how a cycle of violence and repression leading to the use of practices such as torture may emerge from a desperate socio-economic situation.

Based on the jurisprudence of the European Court of Human Rights, the alternative reports presented by OMCT also consider, in certain specific cases, the manner in which violations of economic, social and cultural rights may constitute cases of cruel, inhuman and degrading treatment in the sense of article 16 of the Convention against Torture. Thus, on the basis of a report on Israel presented to the Committee against Torture, the latter recognised in its final observations that the closing off of the occupied territories and the destruction of homes may, in certain cases, constitute a form of cruel, inhuman and degrading treatment within the provisions of the Convention.



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During 2001, 8 alternative reports were submitted to the various United Nations committees: a report (Czech Republic) to the pre-sessional working group of the Committee on Economic, Social and Cultural Rights; 3 reports (Colombia, Israel and Senegal) to the Committee on Economic, Social and Cultural Rights; 1 report (Czech Republic) to the Committee on Human Rights; and 3 reports (Indonesia, Israel and Zambia) to the Committee against Torture. An analysis of the link between violations of economic, social and cultural rights and the emergence of torture and other forms of violence was also presented to the Committee against Torture.

Interventions at the regional and international levels: ensuring the primacy of human rights

Despite the fact that the international authorities on human rights have reiterated on several occasions the primacy of human rights over commercial and financial policies, as well as the necessity to guarantee that the activities of transnational companies should not lead to human rights violations, one cannot but observe that these declarations have not been put into practice. Such a dichotomy between economic policies and initiatives on the one hand, and the

state obligations inherent to human rights on the other hand, is liable to lead to increased marginalisation of human rights principles, instruments and mechanisms.

Aware of this danger, the international community has examined this issue within the framework of mechanisms in charge of human rights and workers' rights such as the Commission on Human Rights, the Sub-Commission on the promotion and protection of human rights, the Committee on Economic, Social and Cultural rights and the International Labour Organisation (ILO). During 2001, OMCT worked actively within these different institutions in order to guarantee the development of a set of principles, instruments and mechanisms guaranteeing the primacy of human rights. The resolutions adopted in 2001 by the Sub-Commission relating to issues linked to globalisation ¹, to the WTO agreement on intellectual property ², and to the liberalisation of the trade in services ³ represent important breakthroughs towards which OMCT has worked relentlessly.

¹ United Nations. Doc. E/CN.4/SUB.2/RES/ 2001/5.

² United Nations. Doc E/CN.4/SUB.2/RES/ 2001/21.

³ United Nations. Doc. E/CN.4/SUB.2/RES/ 2001/4.



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By decompartmentalizing the debates within international human rights institutions with a view to guaranteeing effective changes in the way in which commercial and financial policies are pursued, OMCT also intervened within the framework of international and regional trade agreements. As part of the Barcelona Process, OMCT continued its work aimed at implementing the “human rights” dimension of this Euro-Mediterranean partnership, particularly through the activation of article 2 of the bilateral associative agreements between countries in the European Union and around the Mediterranean. These agreements, encompassing a majority of provisions aimed at liberalising trade between the signatory nations and the European Union, nonetheless position human rights as an essential element. Extensive work in promoting human rights within the WTO, particularly regarding the impact of agreements relating to intellectual property and the liberalisation of services on respect for these rights, was also undertaken during 2001, culminating with OMCT’s participation in the Fourth Inter-Ministerial conference of the WTO which was held in Doha, Qatar. (See Highlights page 19).





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Observatory for the Protection of Human Rights Defenders: a targeted response to selective repression

In many different countries, individuals fighting for respect for human rights are a prime target for authorities who resort to forced disappearance, summary executions, arbitrary detention or torture to silence them. Whether lawyers, journalists, environmentalists or trade unionists, it is precisely because of these threats that they are in need of special protection. Ensuring this protection has been one of OMCT's goals since it was first created.

In order to respond even more effectively to the serious violations perpetrated on a daily basis against people committed to the promotion and defence of fundamental rights and freedoms, OMCT joined in July 1997 with the International Federation for Human Rights (FIDH) in creating the Observatory for the Protection of Human Rights Defenders.

The Observatory aims to provide:

- A system of urgent interventions by the international community in cases of harassment and repression of human rights defenders;
- Concrete and personalised assistance through:
 - International fact-finding missions;
 - Observer and legal support missions;
 - Solidarity missions

- Promotion and reinforcement of international and regional protective mechanisms for defenders among the various intergovernmental, regional and international organisations, particularly the United Nations Organisation, the Organisation of American States, the Organisation of African Unity, the Organisation for Security and Cooperation in Europe and the European Union.
- Mobilisation of civil society and international opinion through the drafting, publication and circulation of reports relating to violations of the rights and freedoms of people or organisations acting on behalf of human rights around the world.

A system of urgent interventions

The situation of human rights defenders in all regions of the world remains extremely worrying. During 2001, the Observatory pursued its activities to alert and prevent such situations through urgent appeals, letters to authorities and press releases which were circulated in several languages (French, English and Spanish). One hundred and twenty-six communications were prepared in the most effective manner according to the type of violation committed and with a view to achieving the greatest possible efficiency. For each



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intervention, a selection of correspondents was carried out at the national, regional and international levels, taking account of their respective abilities to react: national NGOs, intergovernmental organisations, national authorities, media channels, etc. Regular follow-up on each of these interventions has also been carried out.

For the past four years, the interventions of the Observatory have thus contributed to the release of human rights defenders arbitrarily detained, prosecuted or sentenced, and to improving the situation of harassed defenders.

Once again this year, the action of the Observatory has been rewarded by cases in which detained persons were released, in particular, Mr Jules Nteba, Mr Golden Misabiko, Mr Robert Ilunga Numbi, Mr Nsii Luanda, Mrs Jeanne Bilonda and Mr Hubert Tshiswaka in the Democratic Republic of the Congo, Mr Nejib Hosni in Tunisia, Mr Adnana Al-Hajjar in Israel, Mr Mohammed Faisal el Bagir in Sudan, Mr Normagan Arkabaev in Kirgizstan. Acquittals or dropped charges have also been achieved thanks to the efforts of the Observatory and other organisations, particularly in Egypt, Iran, Kirgizstan, Tunisia, Morocco and Turkey.





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Concrete and personalised action

The Observatory's action is also extended in the field by missions undertaken either singly or in conjunction with other organisations. This year, fact-finding missions travelled to Belarus before the Presidential elections, to Guatemala and to Nicaragua to gather information on the situation of defenders, on problems relating to freedom of association and to meet organisations as well as the competent authorities. Reports were widely circulated among the actors involved. A solidarity mission also visited Colombia, and particularly Barrancabermeja, in response to requests from local organisations and the situation of extreme insecurity they are facing. The Observatory also commissioned representatives to be present with observer status in court cases involving defenders. Authorities often use the judicial system to stifle them and to prevent them from pursuing their activities. In addition to solidarity with these defenders, these judicial observer missions aim to provide testimony on the way the trial is conducted. This year such missions were sent to Algeria, Morocco, Tunisia, Turkey and Egypt.

Within OMCT, the Defenders Programme and the Observatory liaise with other programmes, particularly the Urgent Assistance to

Victims of Torture programme, the Violence against Women programme and the Economic, Social and Cultural rights programme, in order to act jointly on certain cases.

The action of the Observatory is not limited to taking a public stand on certain issues. In some cases, meetings are organised in a discreet manner with key figures, as was the case for the meeting between Mr Kehmaïs Ksila (a persecuted Tunisian defender) and the High Commissioner for Human Rights, Mrs Mary Robinson, or Mr Ramazan Dyrlydaev (an exiled defender from Kirgizstan) and the Special Representative of the Secretary General of the United Nations on the situation of human rights defenders, Mrs Hina Jilani.

Promotion and reinforcement

On a normative level, the Observatory contributed to the adoption of the United Nations 1998 Declaration on Human Rights Defenders, and then to the creation of a special mandate for the protection of human rights defenders. 2001 represented the first full year of the mandate of Mrs Hina Jilani, appointed to the post of Special



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Representative of the United Nations Secretary General on Human Rights Defenders on 17 August 2000 and whose work the Observatory has come to appreciate. In addition to urgent actions undertaken by the office of the Special Representative, the mandate has also resulted in the submission of a report to the Commission on Human Rights and to the General Assembly, participation in regional meetings with defenders, as well as missions to Kirgizstan and Colombia. Close cooperation has been instated in examining questions affecting defenders, as well as in helping create regional mechanisms able to complement the work done at UN level.

The Observatory has pursued its efforts with regional treaty-monitoring bodies such as the Interamerican Commission on Human Rights, the African Commission on Human and People's Rights and the Organisation for Security and Cooperation in Europe, to promote the implementation of specific mechanisms to protect defenders and promote full recognition of their role, as well as the principles established by the Declaration of 1988. One may rightly salute the dynamic approach and greater concern with this issue, particularly at the Interamerican level as shown by the creation of a "defenders unit" that will be responsible for receiving information on defenders in the region and will cooperate with





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Mrs Hina Jilani. Despite these encouraging developments, 2001 was also marked by the attacks of 11 September, which had immediate repercussions on the work of defenders and the risks they run. They are among the first victims of the reinforcement of anti-terrorist laws in all regions of the world. Stigmatising defenders as “enemies of the state” and a threat to public order, States have found in the fight against terrorism a new excuse to reinforce repression and impose the reign of the arbitrary.

At the 57th session of the Commission on Human Rights in Geneva, as a natural extension of a solidarity mission conducted in Colombia, the Observatory invited Mrs Mathilde Vargas, member of the Women’s Popular Organisation (OFP) who has been harassed in Colombia. It also invited Mr Christian Mounzeo, a member of the Observatoire Congolais pour les Droits de l’Homme (OCDH) who read a statement before the Commission. Moreover, a briefing in which Mrs Hina Jilani also took part was organised with the Ligue tunisienne des droits de l’Homme, the Association des Femmes démocrates and the Conseil national des Libertés in Tunisia.

Other stands were also taken before the Sub-Commission, the African Commission on Human and People’s Rights, the

Organisation for Security and Cooperation in Europe or at conferences and seminars during which the Observatory denounced violations aimed at defenders. The Observatory was also present at the Conference of the International Labour Organisation (see Highlights, page 13).





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Mobilising civil society and international opinion

A follow-up on all cases was undertaken at the end of the year so as to be included in the Observatory's annual report: "Human Rights Defenders on the front lines", a book presented each year during the Commission on Human Rights in Geneva. This work contains all the cases examined by the Observatory, along with the follow-up work. It also comprises region-by-region analyses of the situation of human rights defenders, and will devote its analytical section this year to a close-up examination of who defenders

actually are, meaning the groups that are targeted in various countries.

Since May 2001, the Observatory has also published a monthly bulletin in three languages (French, English and Spanish) that is widely circulated and available on internet, which contains a summary of all actions undertaken during the past month, thereby providing better information as well as promoting greater awareness and mobilisation of the recipients. This initiative was hailed by many partners and warmly encouraged by Mrs Hina Jilani.





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Statements supporting the work of the Observatory

*« Hermanas y hermanos del OBSERVATORIO PARA LA PROTECCION
DE LOS DEFENSORES DE LOS DERECHOS HUMANOS*

Cálidos saludos,

*Gracias por todo lo que hacen en esta hora difícil. Gracias por las acciones
urgentes en relación a lo que ocurre en Ecuador, pero también por su per-
manente labor por toda América Latina.*

Un abrazo fuerte, muy fuerte, para todos ustedes. »

Alexis Ponce

Spokesperson for the Asamblea Permanente por los Derechos Humanos
(APDH) in Ecuador.

*« We are profoundly grateful for your forceful statement on behalf of Saad
and his colleagues. It has been distributed to our list serve of over 750 names
and will be posted on the Ibn Khaldun website. » (sic)*

Barbara Ibrahim, Randa et Amir Ibrahim (Family of Dr Saad Eddin
Ibrahim, director of the Ibn Khaldoun Center for Development Studies
and professor of political sociology, sentenced on 21 May 2001 to a 7-year
term of imprisonment by the Supreme Security Court of the Egyptian
State.

Torture Respects neither Creed nor Ideology



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OMCT wishes to thank :

- The Government of France



- SIDA, Sweden



for their support to the Observatory for the Protection of Human Rights Defenders.



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AUDITOR'S REPORT

To the Executive Council of
THE WORLD ORGANISATION AGAINST TORTURE
SOS TORTURE

In accordance with the mandate with which we have been entrusted by your General Assembly, we have audited the annual accounts for 2001 up to 31 December 2001.

We have noted that the balance sheet and the statement of incomes and expenditures exactly concur with the books which have been accurately kept.

The financial year ended with excess expenditures amounting to CHF 30,576.87, taking the deficit to CHF 28,622.70.

In conclusion, we recommend the approval of the accounts hereby submitted to us.

The auditors
Marcel LAUPER

Geneva, 28 January 2002

Annex I: Balance sheet as at 31 December 2001

Annex II: Statement of incomes and expenditures in 2001



WORLD ORGANISATION AGAINST TORTURE – SOS TORTURE – GENEVA

BALANCE SHEET AS AT 31 DECEMBER 2001

		CHF
<u>ASSETS</u>		
Cash funds		6'696.96
Postal cheque account		30'812.98
Banks		1'227'816.82
		<u>1'265'326.76</u>
Contributions		242'285.08
Costs paid in advance		33'527.37
		<u>1'541'139.21</u>
<u>LIABILITIES</u>		
Creditors		692'843.85
Other liabilities		137'843.99
		<u>830'687.84</u>
Provision for specific activities		215'000.00
Differed income		524'074.07
		<u>1'569'761.91</u>
<u>NET DEFICIT</u>		
Balance brought forward	CHF 1'954.17	
Surplus expenditure in 2001	<u>CHF (30'576.87)</u>	(28'622.70)
		=====

STATEMENT OF INCOMES AND EXPENDITURES AS AT 31 DECEMBER 2000

INCOME	2'865'502.92
Federal grants	125'000.00
Grant from the State of Geneva	76'950.00
Cantonal grants	10'500.00
Grant from the City of Geneva	18'000.00
Grants from Swiss communes and towns	21'300.00
Grant from Migros	5'000.00
Grants from European governments	232'681.18
Grants from foundations	67'845.65
Network membership fees	7'679.39
Donations from the "Club des Cent"	198'750.00
Private donations	22'180.88
Sale of bulletins, fees, special events	45'462.34
Grants for torture victims	344'303.02
Grants for children	730'230.35
Grants for women	195'734.59
Grants for human rights defenders	128'481.12
Grants for urgent campaigns	373'419.40
Grants for Nigeria training programme	141'626.00
Grant from the Hans Wilsdorf foundation	120'359.00
EXPENDITURE	-2'985'024.05
Extensions	15'319.47
Computer equipment and solidarity days	172'100.41
Assistance to victims	356'952.96
Children's programme	1'105'760.90
Women's programme	225'795.78
Human rights defenders	161'049.73
Democratisation programme	168'152.28
Urgent campaign	401'462.61
Training programme	142'604.96
Promotion	156'113.59
Special and unforeseen events	79'711.36
RESULTS BEFORE CREDIT INTEREST AND OTHER INCOME	-119'521.13
CREDIT INTEREST AND AND OTHER INCOME	88'944.26
Credit interest	52'146.68
Other income	36'797.58
SURPLUS EXPENDITURE	-30'576.87