

# 2010 Annual Report

## World Organisation Against Torture



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“ Nous venons d’apprendre une bonne nouvelle : la libération de Halima et de ses enfants. Ils ont regagné leur village d’origine de Medehochier après midi. Nos remerciements vont en premier à l’OMCT, qui, a travers ses deux appels urgents, a contribué grandement à cette libération.

Merci pour Halima, Merci pour ses enfants. ”

Partner organisation – August 2010

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## Foreword by the President

# OMCT at 25: a Demanding Legacy

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In 2010, OMCT celebrated its 25th anniversary. That occasion provided an opportunity for a quick look back over its history as well as a look forward to the future. This was all the more appropriate as in 2011 Eric Sottas, who has headed the organisation since it was founded, will retire, and will be replaced by Gerald Staberock.

Set up in 1985 by Pierre de Senarclens, Jean-François Labarthe, Eric Sottas, François de Vargas, Denis van der Weiss and Adrien-Claude Zoller, joined shortly thereafter by Olivier Mach, OMCT's initial goal was to intervene rapidly with the authorities as soon as reports of torture and inhuman or degrading treatment reached us from the SOS-Torture Network. This network, comprising NGOs in the field chosen by OMCT for their rigorous action against torture, is today a force 297 members strong, in 92 different countries. Never in 25 years has the information provided by these NGOs been contested by the competent authorities.

But denouncing violence is not enough. The action taken must lead to concrete results: the victims must first be set free, then adequately compensated and enabled to resume normal lives; their torturers must also be brought to justice, impunity being one of the causes of the perpetuation and the banalisation of torture. Without abandoning the denunciation of violence, OMCT has concentrated its action on the victims. This has allowed us to be able to observe that they are overwhelmingly members of the most neglected segments of society; that many of them are women and children; that the violence against them is perpetrated not only by public officials, but often by private militias that are tolerated and even encouraged. Surprisingly, OMCT has found that many of the victims, before being arrested, abused, and sometimes murdered, had protested. Protested because their homes, or the fields from which they drew their families' sustenance, were seized without compensation. The violence and torture used against them was intended to keep them quiet and, above all, to intimidate, so that the men and women whose economic, social and cultural rights had been violated would not protest.

Following upon these observations, OMCT adapted its action to make it more effective. We were able to successfully influence the direction of international legislation and the United Nations and regional human rights bodies, which came to acknowledge the special situations of women and children, the acts committed by militias, and the consequences of violations of economic, social and cultural rights.

In recent years, it has become more and more evident that governments are taking the position that the prohibition of torture and cruel, inhuman or degrading treatment or punishment is relative, rather than absolute. For some of them, their excuse is the war against terrorism; for others, the need to prioritise development; for still others, that this principle is a Western concept. And public opinion has gone along. In response, in 2010 OMCT launched a campaign calling for support for a Manifesto signed by 10 Nobel Prize laureates which we hope will alert public opinion to the existence of practices which deny human dignity. In 2011, the campaign will end with events planned for several countries.

The history of OMCT is the history of an organisation with Eric Sottas at its head. He made sure that the organisation remained steadfast in the fight against torture, resistant to pressure and intransigent in the face of changes in what was fashionable. He initiated studies which provoked reflection on the subject of torture and made the organisation more relevant. He organised teams that ensured that OMCT would function smoothly. He made OMCT and its ideas known around the world. He knew how to gain the confidence of the governments that financed OMCT's activities.

Eric's departure is, obviously, the end of an era. But the Secretariat remains solid: Anne-Laurence Lacroix, Eric's deputy for 12 years, remains at her post. Gerald Staberock, a German national, an outstanding jurist and former Director of the Global Security and Rule of Law Initiative of the International Commission of Jurists, has all the qualities to ensure continuity and to direct OMCT so that we remain in the forefront of the fight against torture. He joined the organisation on 1 December 2010 and has been working closely with Eric; he will assume the post of Secretary-General on 1 September 2011. ■



Yves Berthelot  
President

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# Introduction by the Secretary-General

**“One need not hope in order to undertake, nor succeed in order to preserve”**

William of Orange (known as the Silent)

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**A**s I prepare to present, for the last time, the activities undertaken during the year that has recently ended, it occurs to me that I can use this occasion not to draw up a balance sheet of the last 26 years spent in service to OMCT<sup>1</sup>, but to revisit several questions which are put to me regularly in the course of interviews by journalists or evaluations by fund-raisers.

The first question is: How do we know whether our actions are effective, and how do we measure their impact?

While it is true that in our daily activities, we are often confronted by insoluble situations, by legal delays or bottlenecks, even by deliberate lies by officials at the highest levels of dictatorial regimes who do not hesitate to deny the facts, it is equally true that we receive letters from victims thanking us for our interventions and expressing their gratitude.

For example, I remember the people I met during my missions to the field, and the letters sent to the Secretariat bearing witness to the impact of our activities. I remember the time when, at a meeting in New York with one of our American partners, I was introduced to a man from the Congo who was requesting asylum in the United States. Imagine my surprise when he exclaimed, “You saved my life, and I am happy to be able to thank you in person”. Locked up in Mobutu’s jails, he had been tortured and, thanks to our intercession, was freed. He required a series of medical interventions for the suffering he had endured, and we were able to have him treated before sending him to the United States with his whole family, who were also affected by the threats to his life.

Of course, all the cases do not have happy endings, and even when there is a positive outcome, it should not be seen as a success on the part of the organisation, and even less a personal achievement by its Secretary-General. For the information to have arrived at our offices in the first place, it must first have been collected and transmitted by people in the field, who would have documented, in the most exacting manner, the facts on which we base our action. The OMCT Secretariat, working closely as a team, would have acted on the information, circulating it to thousands of recipients along with sug-

gestions for expressions of solidarity aimed at securing the release of the victim. Once this had occurred, other interventions were necessary to obtain medical care as quickly as possible, despite conditions of insecurity and limited medical infrastructure in the country. Finally, removing the victims from the country was possible only after careful evaluation of the risks and after a safe country had been identified which was willing to receive the victim despite being wary of admitting refugees, especially from another cultural milieu. Once again, this work mobilised partners in Africa, in Europe and in the United States. How, then, to isolate our contribution in this chain of solidarity, and above all, how to evaluate our impact without taking into account the efforts of every link along the way? OMCT’s main contribution was to foster a spirit of working together, maximising the efforts of each and orienting them all towards concrete results, which are certainly measurable, but which OMCT cannot attribute to its own efforts without betraying that very spirit.

However, it must be noted that the same *modus operandi*, even in the same country and in situations that appear to be identical, does not necessarily always yield the same result. In fact, one of the essential tasks of our Secretariat is to try to analyse the reasons why, in certain cases, our efforts lead not only to the saving of a life, but to giving an entire family the chance for stability and hope in the future, while in others, repression crushes those whom we were trying to help. This is the contribution – and it is perhaps a unique one – that we can make to the fight against torture, which cannot be organised around tried and tested patterns. Very often the “best practices” that certain specialists believe they have identified on the basis of a few cases turn out to be quite inadequate for use elsewhere. The eradication of torture proceeds from a double dynamic: that of the repressive regimes on the one hand, and that of the victims and the people working on their behalf on the other. Both learn through action how best to use the legal instruments and influence public opinion to their advantage. While since the 1960s the organisations engaged in the fight against torture have better documented the abuses and atrocities committed around the world, they have also discovered that repressive governments have likewise adapted.



Uncovering the truth has indeed destabilised a number of authoritarian systems that denied the denounced violations; however, more and more governments are acknowledging the facts but justifying them in the name of protecting vital interests of the State such as security, economic development, or respect for cultural differences. This has led to calling into question the absolute prohibition of torture and ill-treatment, sometimes under the guise of legal interpretations which, although dubious, nevertheless succeed in convincing the population that the law hasn’t been violated and that the harshness of the methods used are justified by exceptional circumstances.

It is incumbent upon an organisation like OMCT to perceive this change and its impact on populations and to reflect on other ways to avoid practices becoming commonplace that are unacceptable but, curiously, are tolerated by growing segments of the public. This is what led OMCT to draw up a Manifesto, signed by Nobel Prize winners from different continents, calling for a broad campaign to reaffirm the principle of the prohibition of the

<sup>1</sup> See <http://www.omct.org/fr/international-campaigns/campaign-prohibition-torture/eric-sottas/>.

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use of torture or cruel, inhuman, or degrading treatment<sup>2</sup>, whatever the circumstances and whatever the potential benefit, including – this is crucial – the saving of human life.

In a society where statistics and classifications in order of importance have become “scientific” criteria, we have often been called upon to provide a list of the countries responsible for the gravest violations of human rights, and sometimes a list of the States most respectful of the rights of their citizens. This is meant to encourage the worst performers to emulate the best by improving their systems, and so move up in the rankings.

If this idea seems appealing, in reality it too often gives an incomplete and biased view that does not accurately reflect the reality in this field.

Torture, as we have found, takes place not only in dictatorships where almost no information leaks out, but also in democratic and relatively transparent countries. Time and time again, we have shown how dangerous it is to draw up a list based solely on established facts.

Take the case of Israel, for example, where an active and independent civil society - both in Israel itself and in the occupied territories - is able to uncover almost all the cases of torture and cruel, inhuman or degrading treatment and to denounce them internationally, allowing us to draw up a virtually exhaustive list of the serious violations committed in that country. In North Korea, on the other hand, a totalitarian dictatorship exercises complete control over all the means of communication, prohibits free expression by civil society and refuses visits by representatives of independent bodies, thereby depriving us of the basic factual and individualised information that is essential for compiling statistics. So even though we have the testimonies of survivors that the conditions in the places of detention are frightful, we cannot provide a quantitative presentation of the acts of violence committed by that regime.

Thus, we are confronted with a dilemma: either we base our ranking only on the information in our possession that we know to be indisputable – and for North Korea we have only a few such cases, which would skew the comparison with Israel – or we “correct” the results for North Korea by including other parameters that would allow us to understand the extreme repression under which that country suffers. That kind of interpretative information would certainly readjust the ranking of the countries, but its use is questionable on methodological grounds. Far from being merely an anecdotal problem, the tendency to use a world ranking of countries where torture is rife has a deleterious effect on efforts to open a dialogue with the authorities.

Recently, the representatives of a European country, horrified by the fact that several cases of ill-treatment and torture had been denounced in that country by intergovernmental, regional and international mechanisms, protested against the treatment their country had received. The image of that country was damaged, as the situation there was portrayed as being worse than in other countries with clearly more repressive regimes but which had denied access to the independent committees and experts charged with visiting places of detention.

In addition, ranking countries hides the fact that the torture practised in certain regions has roots, at least partially, in countries that pride themselves on rigorous respect for the rights of their citizens. It is often forgotten that in many countries torture of political opponents and, even more often, of common criminals can be linked to external factors. Social tensions, often of a very serious nature, in countries whose economies have declined and which have limited possibilities for development, or where there are marked inequalities, often degenerate into violence and brutal repression in the absence of a solution to these problems.

In addition, it must be recalled that these situations of disequilibrium are often maintained, and even encouraged, by commercial enterprises whose headquarters are outside the country. Frequently, these companies depend on forces that can guarantee the highest return. In the mining and extractive sectors, for example, damage to the territories of indigenous populations, and even the seizing of their land without

#### Case GEO 220709.1 (Georgia)

OMCT had been informed about the denial of due process to Mr. Vakhtang Maisaia, a scientist and military expert, who was arrested for espionage on 5 May 2009. In August 2010, he was severely beaten in prison. OMCT issued a follow-up appeal denouncing the abuse and urging the competent authorities to guarantee his safety at all times.

**“ Since OMCT appeal (in 2009) the situation changed a lot and nobody dared to put any pressure on him and he was treated well. In 2009 he was also under physical and psychological pressure and threatened, but after that appeal, it stopped. ”**

Human Rights Center (HRIDC)  
Georgia - August 2010

<sup>2</sup> See <http://www.omct.org/international-campaigns/campaign-prohibition-torture/manifesto/>.

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# Introduction by the Secretary-General

**“One need not hope in order to undertake, nor succeed in order to preserve”**

William of Orange (known as the Silent)

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adequate compensation or stable alternative income-generating opportunities for the communities concerned, provoke violent revolts. Certain foreign companies do not hesitate to call on the police, the army, or private militias recruited by these companies to ensure the security of their employees, but also to crush social protest. For example, H.H., one of the most cruel paramilitaries in Colombia, and the most verbose, admitted publicly that the purpose of the atrocious activities he carried out, including beheading children and dismembering people, in the zones that he was supposed to control was not only to fight against the FARC, but also to put an end to and prevent strikes in the banana-producing region of Uraba. These acts of violence, he acknowledged, were directly linked to the maintenance of “good conditions” for the operations of the banana plantations run by corporations, all of them based in the democratic countries that are so careful to respect fundament rights. Thus, we cannot consider in isolation the situation in a country where foreign consortiums carry out their activities, benefiting from, and even encouraging, such atrocities. The States where these companies have their headquarters and to which they remit large sums are responsible, at the very least, for a lack of diligence and for tolerating situations from which they derive benefit.

The fight against torture is a struggle which seems endless and can seem hopeless. We are often asked if it is not “demoralising” to work in a field where we are confronted daily with the dark side of human nature.

It is true that certain atrocities, perpetrated sometimes on a wide scale, by people apparently devoid of human feeling, has something not only frightening, but also incomprehensible about them. How can anyone cut off the limbs of peasants, including women and children, in order to terrorise the population of a village? How can policemen, called in to end a public demonstration, arrange to prolong the time required to drive to the places of detention in order to organise the mass rape, inside the official vehicles, of women and girls whose only crime was to take part in a protest march? On those rare occasions when the authors of these despicable acts are brought to justice and made to give an account of themselves,

their apparent detachment freezes the blood, and can almost make us give up hope for human dignity.

The struggle for justice is often the work of men and women in the field who take considerable risks, not only for themselves, but also for their families. I would like to name all the women and men whose paths I had the privilege to cross in the last quarter of a century. Many are dead. Others have seen terrible violence inflicted on their children, on their spouses, on their parents; they have seen their lives destroyed by torture and by being locked up for decades. For their extraordinary commitment, in the full sense of the word - that is, commitment to the idea that justice is the right of everyone is more important than their lives and the lives of their children - every man and woman among them deserves a complete biography.

But I will single out only two of them. One is a Nepali prisoner who became a Member of Parliament during the first attempts in the 1990s at democratic transition in that country. He opposed prosecuting members of the army or the police, who were responsible for many acts of hideous violence. When the international experts, of whom I was one, tried to convince him that impunity would probably encourage the recurrence of such acts, he replied, calmly and firmly, that any conviction of members of the army or the police would without fail lead to the return of an arbitrary regime. Those institutions were not ready to accept such convictions and democracy was not sufficiently consolidated to allow it. Realising that, unlike myself, he had suffered for many years the abuses of the regime that he was trying to change, I bowed to the superior wisdom and political acuity of a man who would place the democratic process even before justice, after having placed justice even before his own life.

In the same way and on various occasions, human rights defenders at risk in their countries have either refused to leave or returned to continue the fight for human rights. One of them, a lawyer in Colombia and a former member of our Council, asked me, shortly before his death, who would take over his cases if he left the country. Despite my insisting that if he died the victims he was looking after would be in the same situation, he obstinately refused our pro-

posals and was murdered, as had been threatened many times, by those who were upset by his activities. At the time of his death, his wife and young son decided to leave the country so as not to suffer the same fate. Several weeks ago, I had the privilege of meeting his son, a young lawyer who today works to defend vulnerable people in Colombia.

What stays with me from these years is the thought that the struggle against torture cannot be quantified or easily measured in terms of results achieved, nor serve to stigmatise certain countries whose inhabitants would be seen as less human than elsewhere. The struggle is the manifestation - perhaps the most violent one - of the difficulty of living together in a society governed by a system of justice where respect for the dignity of all humankind is the only measure of progress.

We are still far from the goal that all of us hope for and dream. But the fact that in all the countries of the world this ideal, mocked and scorned by partisans of Realpolitik, remains a formidable source of hope; hope nourished by those who struggle alone and, sporadically, by whole peoples who rise up to take charge of their fate, as happened when the Berlin Wall fell and as is happening now, in the Arab Spring. ■

**Eric Sottas**  
Secretary-General

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# Prevention of and Protection against Torture, Ill-treatment and Other Related Human Rights Violations, Including by Addressing their Economic, Social and Cultural Root Causes

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**D**issemination of 576 urgent interventions (urgent appeals, “communications for action”, press releases and open or confidential letters addressed to the authorities), either for specific victims (children, women and human rights defenders) or on general topics (including economic, social and cultural rights), on behalf of 1,936 persons, 83 non-governmental organisations (NGOs) and 10 groups (representing several thousand persons), in the following countries: Algeria, Angola, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bolivia, Brazil, Burma, Burundi, Cambodia, Cameroon, Chile, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, France, Gambia, Georgia, Germany, Guatemala, Guinea, Honduras, India, Indonesia, Iran, Iraq, Israel and the Occupied Palestinian Territories, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lebanon, Malawi, Malaysia, Mauritania, Mexico, Morocco and Western Sahara, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Russian Federation, Senegal, Spain, Sri Lanka, Sudan, Syria, Tajikistan, Thailand, Togo, Tunisia, Turkey, Uganda, United States of America, Uzbekistan, Venezuela, Viet Nam, Yemen and Zimbabwe.

OMCT could follow up 33% of the urgent interventions, thanks to regular reminders to the NGOs that were the source of the information, to participation in the principal regional and international events, and to direct contact with defenders by means of missions to the field.

Publication, in five languages, of *Steadfast in Protest*, the Annual Report 2010 of the Observatory for the Protection of Human Rights Defenders, with over 500 pages, launched on 13 September 2010 in Geneva and Brussels. Holding of national and regional press conferences during the months of September, October, November and December in sub-Saharan Africa (Kinshasa, Lagos, Harare and Kampala), in Latin America (Managua, Mexico City and Buenos Aires), in North Africa and the Middle East (Cairo), in Europe (Warsaw) and in Asia (Manila), with support from organisation members and partners of OMCT and the International Federation for Human Rights (FIDH).

Carrying out 31 missions to the field within the framework of the Observatory for the Protection of Human Rights Defenders: four international inquiry missions to Cambodia (February),

the Gambia (May), Nicaragua (May) and Burundi (November); 23 judicial observation missions concerning 11 cases against 12 defenders in the following countries: Chile (January), Colombia (February), Tunisia (January, February, March), Syria (seven missions between January and July), the Russian Federation (March, May, September, November), France (November) and the Gambia (December); and four international solidarity missions undertaken to express support for defenders in danger in Spain (March), the Democratic Republic of the Congo (June), Kazakhstan (July) and Turkey (June and October).

Convening, at the invitation of the Observatory and the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe (ODIHR/OSCE), of the fourth meeting gathering together the holders of international and regional mandates for the protection of human rights defenders in Warsaw in December 2009. The participants were the assistant to the United Nations Special Rapporteur on the situation of human rights defenders, the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights, the Special Rapporteur of the African Commission on Human and Peoples’ Rights on human rights defenders in Africa, the ODIHR/OSCE, the European Union, the International Organisation of la Francophonie, and representatives of international NGOs.

Organisation of a training seminar in April in Freetown, Sierra Leone, on the effective and complementary use of the international and regional conventional and non-conventional human rights mechanisms, with the participation of 16 human rights defenders from Angola, Burundi, Liberia, Rwanda, Sierra Leone, Togo and Zimbabwe.

Organisation, in Nairobi, Kenya, in April, September and October:

- Of a training seminar on the implementation of the recommendations/conclusions and observations of the UN treaty bodies, with the participation of 11 representatives from government, 9 Kenyan NGOs and the National Commission for Human Rights;
- Of a training seminar on the implementation of the recommendations/conclusions and observations of the UN treaty bodies, with the participation of seven representa-

tives of six government bodies, including the Presidency and the Attorney-General’s Office, 14 Kenyan NGOs and the National Commission for Human Rights;

- Of a training seminar on human rights for 26 members of the Kenyan Administrative Police.

Undertaking a solidarity mission to the Democratic Republic of the Congo in February to support Congolese women victims of rape and the human rights defenders working with them, with the production of a short film and a photographic exhibition that was launched in Geneva and Bern and shown widely throughout Switzerland (Geneva and Bern).

In Benin, organisation of a training course in July-August on policies and measures for the prevention of violence against children deprived of liberty, for 58 professionals (judges, police officers, prison guards and wardens, lawyers, social workers and representatives of civil society), and of a consultation in December gathering 34 representatives of the various sectors involved in juvenile justice and detention (authorities, civil society, etc.). Twenty-five visits to detention centres during the year and meetings with the competent authorities.

In Uruguay, organisation of an information day for 29 journalists and members of civil society on the administration of juvenile justice. Fifteen visits to specialised centres in May and October, and meetings with the competent authorities.

Design and maintenance of a database/library on economic, social and cultural rights (ESCR); creation of an ESCR website (<http://escr.omct.org>) to facilitate access to this database/library. ■

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## Activities Carried Out in 2010

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### **International Campaign for the Absolute Prohibition of Torture and Ill-treatment – 25 years of struggle**

On 23 June 2010, OMCT celebrated its 25th anniversary. To mark this occasion, Kofi Annan, winner of the Noble Peace Prize, and Sandrine Salerno, Mayor of the City of Geneva, signed the Manifesto “Nothing can justify torture under any circumstances”, thereby launching OMCT’s International Campaign for the Absolute Prohibition of Torture and Ill-treatment to make everyone, everywhere, aware of the danger to society of tolerating torture.

In signing the Manifesto, Kofi Annan and Sandrine Salerno, joined by eight other Nobel laureates - Martti Ahtisaari, Jimmy Carter, Jean-Marie Gustave Le Clézio, Rigoberta Menchú, Adolfo Pérez Esquivel, José Ramos-Horta, Joseph Stiglitz and Desmond Tutu – strongly reaffirmed that the dignity of the human person precludes, absolutely and in all circumstances, the practice of torture and ill-treatment. An appeal was made to political leaders and influential people around the globe to be vigilant and active in defending and promoting the absolute right not to be tortured and ill-treated. An appeal was also made to the judicial and quasi-judicial institutions to preserve this right in its entirety in order to protect all victims, whom ever they might be and whatever their beliefs or their actions.

OMCT’s international campaign is the fruit of a process that started more than 10 years ago. It began with the efforts by OMCT to persuade the UN Commission on Human Rights, replaced by the UN Human Rights Council, to in-

clude in its annual resolution on the subject an explicit reference to the fact that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is a *ius cogens* norm of international law. Although such a reference was finally introduced with regard to torture, thanks to support from all the non-governmental organisations (NGOs), the text still failed to include cruel, inhuman or degrading treatment or punishments, leaving the door dangerously open to all sorts of unacceptable interpretations.

In response to the erosion of the absolute prohibition of torture and ill-treatment resulting from relativist theories citing perceived “security”, “culture” and “development” imperatives, an international conference - “Torture: Political, Cultural and Economic Relativisms: the Clash of Convictions” - was held in December 2008 in which NGO members and non-members of the SOS-Torture Network, legal experts and philosophers as well as communications specialists participated.

During the discussions, the participants highlighted the inadequacy of the implementation by States at the national level of the international norms relating to the prohibition of torture and ill-treatment and the recommendations/decisions adopted by the international mechanisms for the protection of human rights, as well as the inability or the absence of political will on the part of governments, even when confronted with documented abuses, to carry out their responsibility to investigate allegations of torture, to punish its perpetrators and to respect the right of victims to compensation and rehabilitation.

In their recommendations, the participants called on OMCT to intensify its work defending the international mechanisms for protection against

torture to meet the attacks on the integrity of the international standards in this domain and to resist those calling into question established jurisprudence or recognised legal doctrines of intergovernmental and legal institutions. OMCT was also asked to mobilise public opinion as to the consequences of calling fundamental rights into question, even partially, given that the public are easily swayed by claims that issues of security, identity, or the need for economic growth should take precedence.

### **A Necessary Opening Towards a Wider Public**

OMCT has acquired considerable experience in disseminating relevant and reliable information emanating from a wide network of NGOs active in the field, targeted at those international authorities who are most likely to be able to intervene effectively; this has been one of the organisation’s main objectives since its founding. As reports of certain mechanisms on matters falling within their mandates indicate, OMCT has over the years become one of the principal providers of information and urgent interventions to the UN Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on violence against women; the Special Rapporteur on extrajudicial, summary or arbitrary executions; and the Working Groups on Enforced or Involuntary Disappearances and on Arbitrary Detention.

OMCT has also distinguished itself by its sponsorship project “Defend the Defenders”, which urges Swiss and international personalities to align themselves with human rights defenders who have been victims of persecution and harassment owing to their activities in defence of

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## Prevention of and Protection against Torture, Ill-treatment and Other Related Human Rights Violations, Including by Addressing their Economic, Social and Cultural Root Causes

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freedom and fundamental rights. This project forges a chain of solidarity which extends well beyond the limited circle of “specialists” and aims at mobilising public opinion around issues on which, it must be said, there is more of a consensus than on the fight against torture and ill-treatment.

After a first documentary filmed during the solidarity mission to Mexico carried out in September 2008, to publicise the struggle of the women of Ciudad Juárez against the wave of killings of women in that city, a second short film was produced at the end of a solidarity mission to the Democratic Republic of the Congo (DRC) in February 2010 about Congolese women victims of rape and the human rights defenders supporting them.

This mission, whose aim was to alert the public to the fate of the Congolese human rights defenders struggling against impunity for the perpetrators of sexual violence committed against women in the east of the country, profited from the presence of two Swiss personalities, Dimitri, one of the greatest clowns of his generation, and Mr. Dick Marty, who has earned international renown for his work in the promotion and protection of human rights and his role as Rapporteur of the Parliamentary Assembly of the Council of Europe, in particular his denunciation of CIA secret prisons, the UN Security Council blacklist, the human rights situation in the North Caucasus and, more recently, his report on trafficking in organs in Kosovo and Albania.

The short film, produced by Mr. Daniel Schweizer and recently awarded a prize at the International Film Festival and Forum on Human Rights, premiered in Bern and Geneva where it was accompanied by an exhibition of photographs taken in the field.

Today, OMCT finds itself at a crossroads: the relativisation of the absolute prohibition of torture and ill-treatment requires the mobilisation of a wider public. This implies a strategy that takes account both of the limited resources of the organisation and of the necessity of strengthening its fund-raising efforts.

The effort to inform public opinion also implies a clarification of the debate, a strengthening of national organisations and the introduction of more efficient communications techniques that are able to make people understand what is at stake. It is not sufficient merely to produce an analysis, however correct it might be; it is necessary to inform, in clear and precise terms, people worried about their future

that there is another way to guarantee their security, respect their differences and achieve their development while preserving, and even strengthening, the established norms of basic human rights as contained in the international instruments.

The support of the members of the SOS-Torture Network for this enterprise is crucial. The members of the OMCT Executive Council, at their meeting in June 2010, confirmed the need to anchor the campaign as firmly as possible in the concerns of the field, and of the victims. It stressed the development of communications strategies rooted in the realities of the regions (Latin America, Asia, Central and Eastern Europe, the Maghreb and Middle East), both to identify issues (notably the situation of specific groups or problems) and to coordinate and carry out campaigns.

An international meeting of experts and members of the Network will be organised in the second half of 2011 to assess the impact of the activities undertaken and the public perceptions of the messages, and to adjust strategies accordingly.

### **Strengthening Collaboration between Inter-governmental Mechanisms for the Protection of Human Rights Defenders**

The Observatory for the Protection of Human Rights Defenders, as its name indicates, has at the heart of its action the protection of human rights defenders, by disseminating urgent interventions, sending inquiry or judicial observation missions, alerting the competent international and regional mechanisms, or the granting of material assistance, as required.

The Observatory is constantly seeking new ways to strengthen its protection further. For example, in 2008, it gathered together in Brussels, for the first time, all the mandate holders working for the protection of human rights de-

fenders within the UN, the African Commission on Human and Peoples' Rights, the Council of Europe, the European Union, the Inter-American Commission on Human Rights and the ODIHR/OSCE. The goal of this “inter-mechanism” meeting was to take stock of the existing techniques and means of protection, and to improve coordination between the mechanisms and reinforce their complementarities.

While welcoming the additional attention paid to the situation of human rights defenders by the various international and regional intergovernmental organisations since the adoption of the UN Declaration on Human Rights Defenders in 1998,<sup>1</sup> the Observatory was concerned about the existence of mechanisms with different mandates and working methods. With this in mind, the Observatory has devoted itself to creating conditions for stronger protection of defenders by creating this platform for exchange and dialogue.

The 2008 Brussels meeting – hailed by all the mechanisms – was followed by a second meeting in October 2009 in Washington, DC, convened jointly with the Inter-American Commission on Human Rights. The meeting devised strategies for stronger cooperation, in particular with regard to intervention modalities and their follow-up. Of particular note in this regard is the creation by the Observatory of a list of items for discussions between the mechanisms and programmes for the protection of human rights defenders, and of a dedicated website: <http://www.humanrights-defenders.org/>.

On 8 and 9 December 2010, the third “inter-mechanism” meeting was held in Warsaw, convened jointly by the Observatory and the ODIHR/OSCE. In addition to sharing their experiences and identifying good practices and means of increasing their effectiveness, the participants considered how individual cases were dealt with and followed up, early warning and protection measures, information-sharing in the context of country visits and legal observation missions, and the visibility of their actions. Two sessions were devoted to the growing involvement of non-State actors in the harassment of and attacks against human rights defenders, and future collaboration with the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, a new mandate created by the UN Human Rights Council.<sup>2</sup>

Conceived of at the outset as a forum for exchange and dialogue, the “inter-mechanism” meeting is in the process of becoming an “institutionalised” interface for the elaboration of

<sup>1</sup> Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, General Assembly resolution 53/144, 9 December 1998.

<sup>2</sup> Resolution 15/21, 30 September 2010.



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common strategies for action. A fourth “inter-mechanism” meeting is planned for the end of the first half of 2011, where it is hoped to set a firm basis for the lines of cooperation that have been set out.

## **Protection of Children Deprived of Liberty : an Innovative Project in Benin and Uruguay**

*“Don’t tell them only what suits you... tell them that you keep us locked up 24 hours a day... tell them everything [the guards] do to us.”*

These are the words of C, a teenager confined in the SER detention centre in Uruguay. He was speaking to the director of the centre, who accompanied OMCT and national NGOs during their visit to the centre on 29 October 2010. This boy’s plea expressed the distress of all of the young people, boys and girls, detained in the specialised centres throughout the country, distress that OMCT witnessed and documented as part of a pilot project to monitor the treatment of children deprived of liberty that was also being implemented in Benin. These words demonstrate the urgency of the need to protect the children and adolescents deprived of liberty who are victims of torture and ill-treatment. That is the mission which OMCT has taken upon itself in past years, and which it intensified in 2010.

The initiative for this project rests on the organisation’s experience of almost 20 years. Hundreds of urgent interventions and dozens of analytical reports on torture and ill-treatment of young detainees in countries around the world highlighted three specific problems indissolubly linked to the perpetuation of this type of violence: first, the vulnerability of the children deprived of liberty; next, the lack of knowledge and effective implementation of their rights; and finally, the failure of the existing international and regional human rights mechanisms to protect them.

The pilot project, “Monitoring the treatment of children deprived of liberty: protecting children against violence by monitoring the conditions and respect for the rights of children deprived of liberty”, began in September 2009 and continued throughout 2010. It is the fruit of the close collaboration between OMCT and two national partners, members of the SOS-Torture Network: Enfants Solidaires d’Afrique et du Monde (ESAM) in Benin and Instituto de Estudios Legales y Sociales

(IELSUR) in Uruguay. Benin and Uruguay were chosen as “test countries” because of the field knowledge acquired by OMCT during previous missions, the publication of reports on the situation of children deprived of liberty, the openness on the part of the authorities, existing contacts with the competent governmental services and the expert and effective support of the members of the SOS-Torture Network in the two countries.

The goal of this project is to contribute to the protection of children deprived of liberty against all forms of violence, including torture and other cruel, inhuman or degrading treatment or punishment, and to prevent situations which might lead to this type of abuse. OMCT expects not only to deal with the manifestations of violence against children, but also to intervene at the level of the causes of such violence, whether this turns out to be inadequate legislation, stigmatisation of the victims, lack of knowledge of their rights, etc.

To this end, OMCT, in close collaboration with the two national coordinators based with ESAM and IELSUR, carried out six missions in 2010 to the two countries and 35 monitoring visits to places where children were detained in Benin (20 visits to civil prisons) and in Uruguay (15 visits to specialised centres).

Apart from the preventive aspect, the visits provided an opportunity to gather detailed information on the situation of children deprived of liberty, information which led to the drafting of reports with specific recommendations for action addressed to the competent individuals, in particular State authorities.

In addition, several training sessions and workshops for awareness-raising and exchanges on the rights of children deprived of liberty were held for a target audience, their content adapted to the needs expressed in the field. Three training sessions took place in Cotonou in July-August 2010 for some 60 professionals working with children deprived of liberty (police, prison guards and wardens, social workers, judges, lawyers and representatives of civil society) from both Cotonou and outside the capital. In Uruguay, noting that the media were portraying a negative image of youth and calling for more repression as the only answer to delinquency, an awareness-raising workshop for journalists – thereby reaching the larger Uruguayan society – was organised in Montevideo in October 2010. These meetings provided an opportunity for useful exchanges and proved to be a valuable source of additional information on the situation of

children deprived of liberty.

In the end, a frank and constructive dialogue was opened with the authorities, both in Benin and in Uruguay, which permitted OMCT and its partners to remind them, regularly and firmly, of their obligation to apply the international norms governing respect for the rights of children deprived of liberty. In Uruguay, OMCT and IELSUR stressed in particular the failure to implement the relevant recommendations of the UN Special Rapporteur on the question of torture and the risks of a wave of repression against arrested and detained adolescents. An information note was submitted to the UN Committee against Torture on the situation of these children. In Benin, at the request of several of the participants at the July-August 2010 training session, OMCT organized a collective workshop for all the relevant actors from the government, the judiciary, the administration, the social sector and civil society. Together, they worked out a road map with recommendations inspired by OMCT’s report after the prison visits. This road map will be implemented by a committee composed of representatives of government and civil society, which the participants decided to establish in 2011.

Encouraged by these positive results, OMCT is working to develop a follow-up to this project. The Secretariat is studying how to ensure the continuity of the activities carried out in Benin and Uruguay, and drafting technical documents (on visits to places where children are deprived of liberty) that will be useful to national NGOs. ■

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## Prevention of and Protection against Torture, Ill-treatment and Other Related Human Rights Violations, Including by Addressing their Economic, Social and Cultural Root Causes

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### Visits to specialised centres, Uruguay (May 2010)

During the visit that took place in May 2010, the representatives of OMCT and IELSUR, the national partner, visited most of the institutions where young people are detained awaiting trial or serving a sentenced of deprivation of liberty.

Compared to the earlier visits (September 2003 and September 2008), the mission saw profound changes, notably in the legal order governing, among other things, the minimum age of criminal responsibility and the introduction of alternative punishments to imprisonment. These measures correspond to the commitments made by the authorities to bring Uruguayan law into line with international law concerning children.

The conditions of detention vary greatly. Some of the institutions – a minority - have clearly undergone considerable rehabilitation, but the worst of them were what could only be called subhuman.

The mission took note that children under 16 were packed into tiny cells with broken windows offering no protection against the cold and in an unbelievable state of disrepair. As the UN Special Rapporteur on the question of torture noted in the report issued following his mission to Uruguay,<sup>3</sup> the young detainees, with no sanitary facilities or access to toilets at night, urinated and defecated in plastic bags which they threw out of the cell windows.

The mission also noted a great disparity in the treatment of the detainees between institutions and, sometimes, between different parts of the same institution. In some of them, the food and the general conditions were clearly

less bad than in others, the complaints of bad treatment less numerous, and the incidents of self-mutilation less frequent.

The argument that the dangerous behaviour of the young detainees and insufficient financial resources alone accounted for the very significant inequalities does not seem to be well founded. In fact, an examination of the background does not confirm this assertion. In addition, the resources available to the different centres are equivalent, so cannot explain the disparities between them.

The mission reminded the authorities that more rigorous control of the prison personnel and more thorough investigations into allegations of ill-treatment and corruption are indispensable, as are the application of sanctions in accordance with the gravity of the violations committed.

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### Inquiry mission to Nicaragua

At the request of the principal organisation for the defence of human rights in the country, the Centro Nicaragüense de Derechos Humanos (CENIDH), currently the target of supporters of President Daniel Ortega, who is trying to stay in power in violation of the Constitution, the Observatory carried out an inquiry mission to Nicaragua from 9 to 17 May 2010. Its purpose was to demonstrate international solidarity, and to evaluate the situation of the human rights defenders which has been characterised by increasing violations of the basic freedoms of peaceful assembly, association and expression, and by a campaign to slander their reputation.

The members of the mission were able to meet with representatives of civil society, the international community, authorities at the highest level of government, including the Vice-President, the Minister of the Interior, the President of the Supreme Court and the Chief of the National Police, as well as parliamentarians from the two main political movements. President Ortega did not respond to a request to meet the delegation, which was led by Ms. Souhayr Belhassen, President of FIDH, and Mr. Eric Sottas, Secretary-General of OMCT.

A mission report, containing recommendations and conclusions, will shortly be submitted to the Government of Nicaragua, the Organisation of American States, the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, the European Union and the UN, and will be published for the public.

“ Thank you very much for your wonderful job. I truly appreciate your good work and showing your Urgent Appeal letter to the concerned family members here in exile is highly appreciated and source of great hope. ”

Tibetan Centre for Human Rights and Democracy (TCHR) – avril 2010

<sup>3</sup> UN Doc. A/HRC/13/39/Add.2, 21 December 2009.

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## Activities Carried Out in 2010

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### Assisting Victims of Torture, Ill-Treatment and Other Related Human Rights Violations in Obtaining Appropriate Redress, Including Rehabilitation

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**E**mergency medical, legal and/or social assistance to 174 victims of torture or ill-treatment (84 cases<sup>6</sup>), of whom 33 were human rights defenders in the following 27 countries: Azerbaijan, Cameroon, Chile, Colombia, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Georgia, Guatemala, Guinea, Iran, Iraq, Ivory Coast, Kenya, Lebanon, Libya, Mexico, Moldova, Russian Federation, South Africa, Sri Lanka, Tunisia, Turkey, Uganda and Uzbekistan. Of these 174 victims, 47 were female, 127 were male and 42 were children.

- Medical assistance was provided to victims with health problems caused by torture or the forced disappearance of a member of the family, in close partnership with rehabilitation centres, which allowed the persons concerned to recover or improve their state of physical and mental health (payment of the entire cost or partial payment in cooperation with other NGOs).
- Concerning social assistance, 31 victims were helped to relocate rapidly, either within the region or elsewhere, in order to counter threats to their life or physical or psychological integrity ("protective action"), while others received one-time support (including social rehabilitation) to help them meet their basic needs, in their own country or in a country of temporary refuge. Several procedures to reunite families were undertaken; two were successfully completed while others are continuing.
- With respect to legal assistance, OMCT assessed cases in close collaboration with members of the SOS-Torture Network, provided legal advice in the context of refoulement procedures, and paid the fees of defence counsel. In addition, a number of victims were granted asylum after OMCT evaluated their situation and confirmed that there was a risk of torture if they were sent back to their country of origin (article 3 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment). Finally, other victims – including the families of victims who had died as a result of torture – received legal and/or financial assistance to begin or join legal proceedings in national courts, regional mechanisms (European Court of Human Rights; Inter-American Court of Human Rights; African Commission on Human and Peoples' Rights) and international human rights mechanisms (UN Committee against Torture and Human Rights Committee) to obtain reparation and compensation.

Adoption of two decisions by the UN Human Rights Committee on individual complaints submitted on behalf of victims of torture (communication No. 1776/2008, *Bashasha v. Libyan Arab Jamahiriya* and communication No. 1818/2008, *McCallum v. South Africa*).

Ongoing follow-up - notably through the submission of comments after the response of the States parties - of three individual complaints submitted to the UN Human Rights Committee (communication No. 1447/2006, *Amirov v. Russian Federation*) and one individual complaint submitted to the UN Committee against Torture (communication No. 291/2006, *Ali v. Tunisia*). Contribution to the submission of two complaints, one against Moldova at the European Court of Human Rights and the other against Uganda with the African Commission on Human and Peoples' Rights.

Dissemination, jointly with members of the SOS-Torture Network in Algeria, Colombia, the Democratic Republic of the Congo, India, Mexico, Nepal, Sierra Leone, Sri Lanka, Turkey and the United States of America, of 10 press releases on 26 June, International Day in Support of Victims of Torture. ■

#### A Comprehensive Approach That Listens to the Victims

Since the establishment in 1986 of its Fund for Urgent Assistance to Victims of Torture, OMCT, convinced that relieving the suffering of the victim is as important as the identification, prosecution and punishment of the alleged author of the violation, has taken a comprehensive approach. The rehabilitation activities must aim at restoring the right of the victims to see justice done and include medical and social rehabilitation, compensation and reparation at all levels (national, regional and international), which contributes not only to the recovery of their health but also to the fight against impunity.

In this regard, OMCT has developed over the years a network of organisations active in the field of rehabilitating victims of torture and combating impunity and which are competent to provide multidisciplinary assistance to victims, wherever they are in the world and whatever their diverse legal, medical and social problems. It is often the case that the needs of the victims are interdependent and the response to them must be global to have the maximum effect.

Thus, in 2010, in the great majority of cases OMCT extended multidisciplinary assistance – legal, medical and social – to 105 women, men and children victims of torture in order to respond in the most comprehensive way possible to their most urgent needs, to ensure their medical and social rehabilitation and to fight against impunity.

By way of example, a family from Moldova, with legal assistance granted by OMCT, was able to file a complaint first with the national authorities, then with the European Court of Human Rights, for arbitrary detention and torture. This support also helped members of the family to deal with a particularly difficult situation:

*"At present, their social situation is better. N. had a baby and her husband is working. A. is*

<sup>6</sup>One case may involve several victims and require several types of assistance.

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## Assisting Victims of Torture, Ill-Treatment and Other Related Human Rights Violations in Obtaining Appropriate Redress, Including Rehabilitation

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also working, in spite of his health problems. The support of OMCT in this case was very important in a very difficult period for them, being helpless, terrified by the situation and unable to work. We are hoping that ECtHR will take a positive decision in this case and they will benefit from reparation for their torture and sufferings.”

(Communication from the partner organisation that transmitted the request for assistance, January 2011)

### Visible Impact of OMCT's Action

With fewer financial resources at its disposal, OMCT tried to respond to the numerous requests for assistance that it received throughout the year, in collaboration with the members of the SOS-Torture Network, but was unable to fully satisfy all of them. It awarded 34 grants for medical assistance to victims of torture, who were able to recover, partially or entirely, their physical and mental health; 90 grants for legal assistance (legal support, in particular in cases of refoulement, complaints of torture and other ill-treatment, legal proceedings to obtain reparation, etc.); and 28 grants for social assistance (one-time support to provide basic needs, relocation assistance, etc.).

OMCT also contributed legally, logistically and financially to the organisation of protective actions (or regional or international relocation, temporary or permanent) of 31 victims, including 15 children, in order to protect them from imminent threats – some of them repeated - to their physical and psychological safety. OMCT also intervened directly on behalf of 10 persons threatened with refoulement to a country where there were serious reasons to believe that they would be at risk of torture or other cruel, inhuman or degrading treatment.

In 2009, OMCT participated in a protection measure on behalf of a Latin American journalist who was threatened because of her human rights work. She and her family were able to travel in October 2010 to another country that offered them asylum, long-term protection and a new lease on life:

«Te escribo para dar una buena noticia. Ya nos concedieron el asilo. El abogado dijo que fue rápido, un pequeño milagro, pero yo creo que no fue tan pequeño. Esto nos da cierta tranquilidad. Quiero reiterarles nuestro agradecimiento porque sin ustedes no estaríamos aquí. Ustedes se solidarizaron con nosotros y espera-

mos poder retribuir las bendiciones que hemos recibido de todos.» (October 2010)

The multidisciplinary approach developed and promoted by OMCT implies that assistance granted to a victim of torture also contributes to the fight against impunity. OMCT played a crucial role in a very important trial with very complex political stakes, by offering logistical and political support to the Supreme Court of a Latin American country. This intervention allowed a hearing to be held in a secure place during which essential witnesses were able to speak freely without fear for their safety and to contribute to establishing the truth in a case of massive violations of human rights. The purpose of the action was, of course, to secure justice, but also to contribute to the psychological healing of the witnesses.

### Responding to the Victims' Need for Justice

As part of its urgent assistance to victims of torture and other ill-treatment, OMCT ensures that victims have legal representation in filing complaints with the regional and international quasi-judicial organs. In 2010, OMCT followed seven cases which are still pending before the UN Human Rights Committee and the Committee against Torture. In addition, with support from OMCT, two complaints have been filed, one against Moldova with the European Court of Human Rights and the other against Uganda with the African Commission on Human and Peoples' Rights.

The complaint procedures of the UN treaty bodies are essential for the victims of torture and ill-treatment because they are often the only possibility for legal recourse in cases where the national judicial system cannot provide equitable justice, in particular in terms of reparation for torture and ill-treatment. By means of these procedures, a victim can obtain a decision which confirms that his/her rights have been violated, and the treaty body concerned can issue recommendations to the State party to bring its actions into conformity with its obligations under the respective convention and restore the rights of the victim (i.e., compensation and rehabilitation). The complaint mechanism is also important in order to prevent the use of torture or ill-treatment in that the decisions taken in individual cases can lead to important changes in national legislation and in State practice, and thereby contribute to the fight against impunity.

In October 2010, thanks to the sustained efforts of OMCT and its partner organisations in following up submitted complaints, South Africa, in the *McCallum* case, and Libya, in the *Bashasha* case, were found by the UN Human Rights Committee to have been in violation of the UN International Covenant on Civil and Political Rights, in particular its prohibition of torture and other ill-treatment.

The details of the latter case are as follows. In October 1989, Mr. Milhoud Ahmed Hussein *Bashasha*,<sup>5</sup> a Libyan national, was taken away without a valid warrant by armed officials in civilian dress of the Internal Security Service in Tripoli, during the massive wave of repression conducted by the authorities that year against presumed dissidents. The State party provided no explanation for the arrest, the secret detention in difficult conditions, and finally the death of the victim in 1996. What was clearly a case of forced disappearance caused the family and a cousin of the victim, author of the complaint, profound and chronic distress owing to the uncertainty as to the whereabouts of their relative.

The Committee's finding was remarkable for more than one reason. First of all, only a few individual complaints addressed to the UN Human Rights Committee reach the end of the process, as most of the time the complainant withdraws as a result of intimidation or threats. Colonel Mouammar Kadhafi has instilled such a climate of terror, with civil society in total disarray and a compliant and mute judicial system, that only a rare few dare to take the step, even from exile. The *Bashasha* case is symbolic in that it recalls that the members of the families of disappeared persons are also victims and that they also have a right to reparation for damages suffered. OMCT has always considered such people as victims of torture themselves owing to the extreme suffering and anguish that they endure, not knowing the fate of their loved one. OMCT therefore welcomes the entry into force on 23 December 2010 of the International Convention for the Protection of All Persons from Enforced Disappearance, the result of a long struggle to secure acknowledgement of the practice of forced disappearance as a specific crime. Finally, this complaint has significant legal import since it is a way of making Libya confront its responsibilities.

Several days after the independent experts of the UN Human Rights Committee had found it to be guilty of arbitrary arrest, secret detention, torture and forced disappearance leading to death, Libya was examined by its peers, i.e. other States, in the UN Human Rights Council under the Universal Periodic Review. However,

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the views expressed during the review were not at all forceful, and Libya simply rejected all the recommendations concerning the practice of torture, arbitrary arrests and forced disappearances and the lack of independence of the judiciary. That makes the Human Rights Committee's decision all the more significant.

A decision in favour of a victim of torture or other ill-treatment is an important victory, demonstrating that the grievance was well founded and thereby contributing to the victim's rehabilitation. However, its full implementation by the State party is the crowning success. Unfortunately, certain States fail in their legal obligations in this area. Consequently, follow-up of the complaint, both with the treaty body and the State party concerned, is crucial in order not only to obtain satisfaction for the victim, but also to strengthen respect for the international standards governing the absolute prohibition of torture and ill-treatment. For this reason, it is indispensable that this follow-up be carried out in close partnership with the NGO with which the complaint was submitted and the international or regional bodies that rendered decisions in the case.

In April 2009 the UN Human Rights Committee adopted a decision on a complaint filed in 2008 on behalf of Mr. Aïzan Amirov<sup>6</sup> against the Russian Federation following the disappearance and death of his wife. The Committee found that the State party had violated the right to life of the victim, the prohibition of torture and the right of the victim to an effective remedy, together with the prohibition of torture with respect to the author for the suffering he endured as a result of his wife's disappearance. Since December 2009, OMCT and its partner in Russia have been engaged in following up this decision so that an effective, independent and impartial investigation is undertaken into the circumstances of the death of Mrs. Amirova, that the responsible persons are brought to justice, and that reparations are awarded to the family.

The problem with respect to the follow-up of decisions adopted by the quasi-judicial organs, and more generally with the recommendations issued by these mechanisms, raises the larger question of the responsibility of States with regard to their international commitments, and their will to respect them. OMCT has for



<sup>5</sup> *Bashasha v. the Libyan Arab Jamahiriya*, Communication No. 1776/2008.

<sup>6</sup> *Amirov v. Russian Federation*, Communication No. 1447/2006.

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## Assisting Victims of Torture, Ill-Treatment and Other Related Human Rights Violations in Obtaining Appropriate Redress, Including Rehabilitation

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several years been reflecting on how to ensure the complete and effective implementation of the recommendations and decisions of these organs, and considers the question of follow-up to be crucial. A first course of action aims at improving the follow-up mechanisms of the treaty bodies themselves, in particular by devoting more resources to this activity, ensuring more transparency and providing more visibility to the system, and working towards better co-ordination of the follow-up efforts of the various treaty bodies, including by identifying good practices and organising joint actions. OMCT also believes that it is essential to involve the national NGOs in this process as well as all the other actors concerned. In this regard, OMCT's follow-up missions to the field are an essential tool for disseminating the recommendations, evaluating their implementation, encouraging the authorities to respect them and supporting the participation of the national NGOs in this process. OMCT also encourages UN treaty bodies to undertake follow-up missions to the field in particularly difficult situations.

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### To OMCT From Sunanda Deshapriya

*"I arrived in Geneva from Colombo on 24th May 2009 to participate in the 11th Special Session of the Human Rights Council (HRC) entitled "The human rights situation in Sri Lanka". At this occasion, I made an intervention on behalf of a number of Human Rights organizations. I emphasized the importance of accountability in regards to the last phase of the war, which has been disastrous from a humanitarian point of view. The three-minute speech which I made at the HRC resulted in an unprecedented wrath of the extremely pro-war ruling circles back in Sri Lanka and I became a target of months long hate campaigns calling for my death.*

*In the previous months, too, I had been on the run because of the life-threatening situation for press freedom activists in my country.*

*In this situation, OMCT came into the picture of my stay in Geneva. At the end of 2009 my visa for Switzerland expired and the situation in Sri Lanka did not allow a safe return, so I was looking for work in the human rights field to bridge one year within which I hoped to go back. OMCT offered me to work as*

*'chargé de mission' - Sri Lanka in collaboration with some INGO donors. In this way, I was able to continue my human rights activism and to contribute to the implementation of OMCT activities in 2010.*

*As the situation in Sri Lanka did not improve to an extent that would allow me to go back safely and continue my human rights work, I decided to apply for political asylum in Switzerland by end of 2010. Here again OMCT provided me with practical and useful information and contacted the relevant authorities on my behalf. Needless to say that the help they provided was invaluable.*

*The decision to apply for political asylum has been one of the most difficult decisions I had to make in my adult life. For some one who has been a leading human rights defender in the country for decades, applying for asylum in a foreign land is like losing self-esteem and placing the my destiny in unknown hands.*

*As I sit back and wait for the asylum process to take its time, I understand the importance of International Human Rights Organizations helping human rights defenders in exile. If not for the support I received from the human rights community it is difficult even to think where I would be today.*

*I still cherish the dream of going back to my motherland and that dream will never die."*

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### Training seminar in Sierra Leone

From 14 to 16 April 2010, OMCT, in collaboration with Forum of Conscience, a member of the SOS-Torture Network, organised a seminar on using the international and regional conventional and non-conventional human rights mechanisms. Sixteen human rights defenders from Angola, Burundi, Liberia, Rwanda, Sierra Leone, Togo and Zimbabwe attended.

During this training, an exhaustive presentation was made of the UN Human Rights Council, its special procedures and the Universal Periodic Review, as well as of the African Commission and Court of Human and Peoples' Rights. Its purpose was to build the capacity of local defenders to obtain justice for victims when domestic remedies are either not available or not effective.

OMCT was determined to sensitise these defenders to the quasi-judicial procedures of the UN treaty bodies and to explain the

jurisprudential developments with regard to torture and ill-treatment.

The purpose of holding training seminars outside Europe is not only to gather together defenders from the same continent or region in order to encourage the exchange of experiences, but also to draw closer to the reality of the victims. Thus, OMCT took advantage of its presence in Sierra Leone to raise the question of the reparations due to victims of the conflict and the reconciliation process with representatives of the Special Court for Sierra Leone, foreign diplomatic representatives and the media.

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<sup>8</sup> *Amirov v. Russian Federation*,  
Communication No. 1447/2006.

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## Activities Carried Out in 2010

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# Maintaining and Reinforcing International and National Human Rights Standards and Bodies, Including the Absolute Prohibition of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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### UN treaty-based bodies

Submission, in partnership with NGOs in the field, both members and non-members of the SOS-Torture Network, of:

- One information note to the UN Committee against Torture (May) and to the Committee on Economic, Social and Cultural Rights (September) on discrimination and domestic violence against women with temporary legal status in Switzerland, and one information note to the UN Committee against Torture concerning the situation of children deprived of liberty in Uruguay.
- One follow-up report to the UN Committee on the Elimination of Discrimination against Women (December) on the sexual torture of women in San Salvador Atenco, Mexico.

Carrying out a follow-up mission to Brazil (March) to evaluate the implementation by the authorities of the recommendations adopted by the UN Committee on Economic, Social and Cultural Rights, with the launching of the alternative report "The criminalisation of poverty", in Portuguese, prepared by OMCT, at the University of Rio de Janeiro.

Drafting of a report on the follow-up mission to the Philippines (March 2009) to evaluate the implementation by the authorities of the recommendations adopted by the UN Committee against Torture and the Committee on Economic, Social and Cultural Rights.

### UN Charter-based bodies

In the framework of the Universal Periodic Review, monitoring of the examination of two countries, Nicaragua and Kenya, by holding parallel events, delivering joint statements and organising meetings with State delegations to the UN Human Rights Council, in close partnership with members of the SOS-Torture Network and other partners.

Delivering 16 statements at sessions of the UN Human Rights Council on various items of the agenda of concern to OMCT's mandate and on the human rights situation in Sri Lanka, Iran, Honduras and the Democratic Republic of the Congo. Participation in the interactive dialogues with the UN Special Rapporteur on torture, the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the situation of human rights defenders, and in the context of the annual meeting devoted to the rights of the child. Organisation and facilitation of parallel events on human rights defenders, the rights of the child and the human rights situations in Colombia, Sri Lanka, Kenya, Iraq (Camp Ashraf) and the United States of America.

### Regional Human Rights Mechanisms

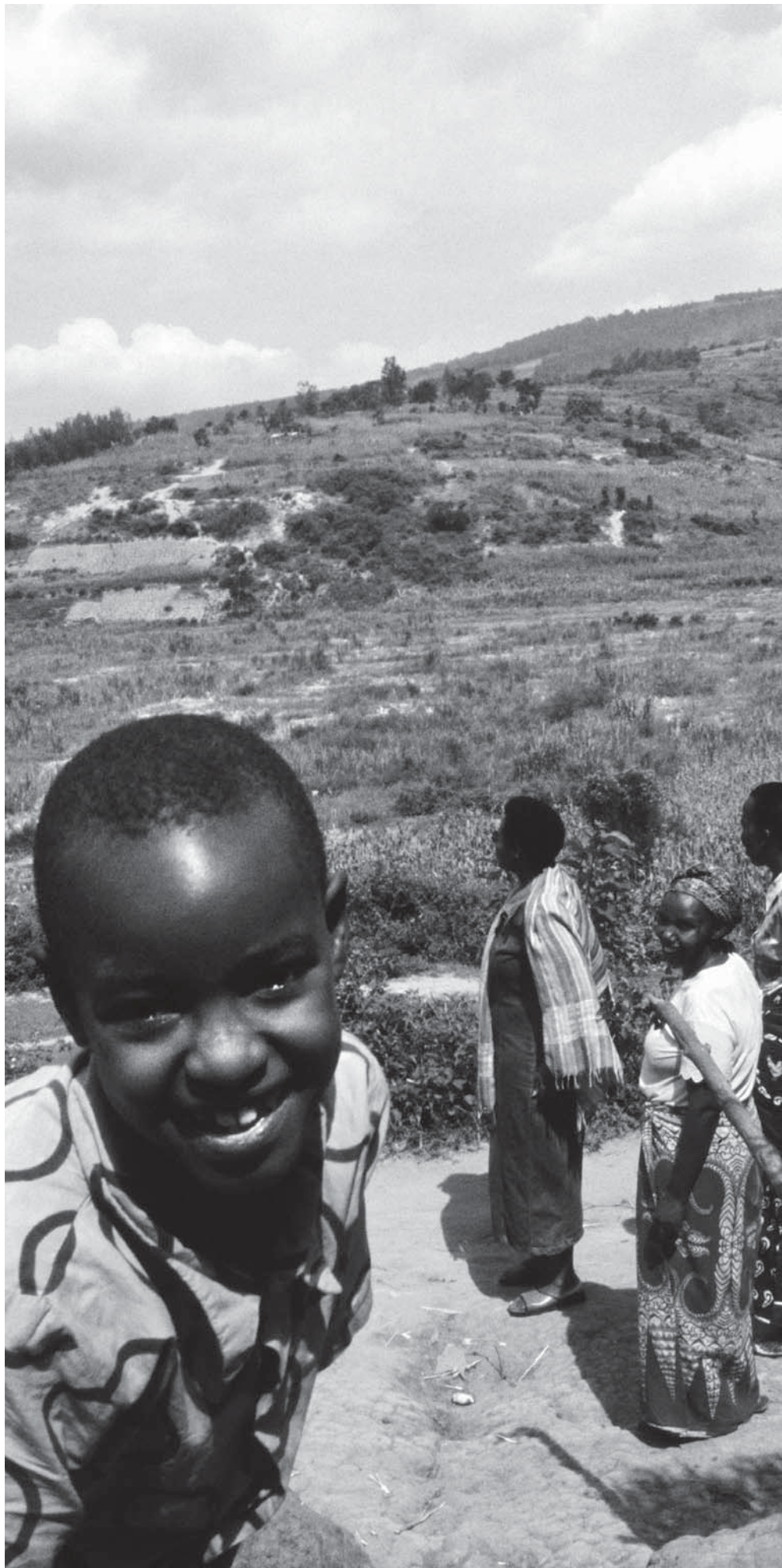
Participation in the NGO Forum and in sessions of the African Commission on Human and Peoples' Rights (May and November) in Banjul, the Gambia, making statements on the practice of torture and ill-treatment in Africa and on the situation of human rights defenders on that continent, and presentation of the report of the inquiry mission of the Observatory to Nigeria. ■

Since its creation, OMCT has stressed that national legislation must conform to the international standards in the field of human rights and that these must be implemented effectively, as proof of respect by States for the rule of law and democracy. In pursuit of this goal, OMCT has collaborated with the UN treaty bodies charged by States parties with monitoring the application of their obligations under the various conventions. These mechanisms, in particular the UN Committee against Torture and the Human Rights Committee, make an essential contribution not only to preserving and strengthening the international standards on torture and ill-treatment, but also to their development, by adopting general comments on the scope of specific articles of the treaties, by adjudicating individual cases, by identifying important preventive measures and by recommending the adoption of adequate measures of compensation.

## **The UN Treaty Bodies: Partners at the Heart of Change**

From its early days OMCT was conscious of the crucial role that these mechanisms could play and of their potential: it submitted its first report to the Committee against Torture in 1992.

Faithful to its strategy of strengthening the work of NGOs in the field in the fight against torture and ill-treatment without duplicating their actions, OMCT tries to encourage local NGOs to band together to present, jointly with OMCT or on their own, alternative reports offering a different take on the information provided by the State party being examined. In recent years, OMCT has begun to note among the NGOs with which it works, a growing number collaborating directly with the mechanisms (including the attendance of representatives from the field at their sessions), as well as an improvement in the quality of their contributions. OMCT can congratulate itself on its strategy of supporting field NGOs, which the organisation developed and which it intends to continue.



“ Le groupe de travail *Femmes migrantes – violences conjugales* a eu beaucoup de chance d’avoir rencontré puis de pouvoir intégrer au groupe des représentantes de l’OMCT qui connaissent les mécanismes onusiens, les possibilités d’intervention par le biais de notes et les échéances des examens de la Suisse devant les différents comités onusiens. Les recommandations établies par ces comités concernant la protection des femmes migrantes victimes de violences conjugales - basées sur les notes rédigées par le groupe de travail - sont les outils qui ont le mieux fonctionné jusqu’ici pour faire pression en faveur d’une modification de l’article 50 de la loi sur les étrangers. ”

Centre de contact Suisses Immigrés (CCSI)



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## Maintaining and Reinforcing International and National Human Rights Standards and Bodies, Including the Absolute Prohibition of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Encouraged by these results, and taking great care to adapt to the structural and procedural evolution of the treaty bodies, OMCT strongly supports the submission of follow-up notes. It does not intend to abandon the drafting of alternative reports with the NGO partners of its SOS-Torture Network, but stresses in addition the need for a more thorough evaluation of the implementation by the authorities of the country concerned of the recommendations considered to be specifically relevant to the mandate of the organisation. Using as an example the follow-up given to the decisions issued by the treaty bodies, the follow-up of their recommendations at the national level, as mentioned above, constitutes one of OMCT's priorities, and the organisation is determined to multiply and diversify its activities in this regard.

In Kenya for example, OMCT assembled all the relevant Kenyan actors – NGOs, the Kenya National Commission on Human Rights, representatives of the Government (notably the Minister for Justice, Social Cohesion and Constitutional Affairs; the Minister of Gender, Children and Social Development), prison staff and police officials – around the question of the implementation of the recommendations adopted by several of the UN treaty bodies. The purpose was, on the one hand, to sensitise these different actors to the content and scope of the recommendations and, on the other, to create the conditions for a joint effort with a view to the adoption of a national strategy for their implementation, this at a critical point for a country with a new Constitution coming into force.

The adoption at the end of 2009 of a decision by Switzerland's highest court on the special situation of women migrant victims of domestic violence is another example of the added value of working in a coalition and of the necessity of seizing all the treaty bodies of the situation in a given country.

Since 2008, OMCT has focused, along with national NGOs, on the special situation of migrant women victims of domestic violence, who too often endure a situation of violence out of fear if they report the abuse and leave their husbands. It is common knowledge that the legal order, because it does not offer adequate legal protection to these women, contributes to perpetuating a cycle of violence. After having submitted a joint note on this subject with national NGOs to the UN Committee on the Elimination of Discrimination against Women and the Human Rights Committee in 2009, OMCT continued its efforts in 2010, submitting a follow-up

note to the UN Committee against Torture and the Committee on Economic, Social and Cultural Rights.

Documenting and analysing the situation of migrant victims of domestic violence exposed the existence of a problem that had rarely received attention, sensitised the various actors concerned (authorities and professionals intervening on behalf of these women) and promoted human rights-based responses. The expert members of the UN treaty bodies expressed the unanimous view that a problem existed which had to be addressed, thereby increasing the pressure on the national authorities. All of the treaty bodies that received the information note requested Switzerland to adopt measures in accordance with its international obligations, in particular by changing the law. A network of organisations was mobilised around this question which proved to be effective, as a directive is now being prepared to help all officials better understand this problem.

### **A Pioneer in Gender Mainstreaming**

The above example relating to the situation of migrant victims of domestic violence in Switzerland demonstrates the soundness of the gender-mainstreaming strategy developed by OMCT over the last 10 years.

Since 1995 OMCT has been involved in the protection of women against torture, ill-treatment and other forms of violence, promoting a progressive interpretation of the definition of torture based on the principle of due diligence. OMCT was one of the pioneers arguing that violence against women within the family and the community can amount to torture if States fail to act with due diligence in preventing and protecting women from such violence. OMCT has worked to raise awareness of the high level of intensity that violence against women at the hands of private individuals can attain and has shown that these are important similarities between violence in the "private" sphere and "classic" torture.

Very early on OMCT took a position against partitioning off questions relating to "women" and in favour of integrating them into the work of the so-called "general" UN treaty bodies (i.e., those whose mandates do not specifically include gender). These treaty bodies should also be concerned with matters in this domain, complementing the action taken by the UN Committee on the Elimination of Discrimination against Women.

Therefore, since 2000 OMCT has submitted some 70 alternative reports on this subject, the majority of them to the UN Committee against Torture, in view of the fact that the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment offers, above all, protection against violence. Since 2001, the Committee – which had historically adopted a "traditional" reading of what constitutes torture, based on a separation of the public and private spheres – has begun to take up violence against women committed by non-State actors during its examination of reports submitted by States parties.

Supported by the evidence of success and holding to its holistic approach to the fight against torture, OMCT has devoted itself to further developing "mainstreaming" to encompass questions relating to the rights of the child and economic, social and cultural rights, with the active participation of the NGO representatives who have brought these subjects to the attention of the UN Committee against Torture and the Human Rights Committee at their sessions. Again, the goal is to present to the expert members of these mechanisms a global and integrated vision of the context in which the debate on respect for the absolute prohibition of torture and ill-treatment is being played out.

Recent evaluations have singled out the relevance of the "mainstreaming" strategy adopted by the organisation and the quality of the awareness-raising carried out in the field. OMCT intends to continue in this direction, placing emphasis on training NGO members and non-members of the SOS-Torture Network using manuals developed on the basis of the experience acquired in recent years. ■

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# Annual Accounts

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*Report from the Auditor for the Annual Accounts ending on December 31, 2010  
to the  
Ordinary General Assembly of the "World Organisation Against Torture"  
Association  
Geneva*

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Dear Sirs,

Upon request of your Executive Council and in compliance with article 19 of the statutes of your Association we carried out the auditing of the annual accounts (statements of accounts, balance sheet and annexes) of the "World Organisation Against Torture" Association for the period ending on December 31, 2010.

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

Following our monitoring, we are able to state that:

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

In conclusion, we recommend the approval of the annual accounts stating an excess of expenditures for 2010 of **CHF 274'448.43** and taking into account the amount carried forward at 1 January 2010, an excess of expenditures in the balance sheet of **CHF 286'795.58**.

The Fondation supporting the World Organisation Against Torture (OMCT) decided to its dissolution and the allocation of its assets, to the benefit of your Association. According to the liquidators, the available assets should be about **CHF 240.000.00**. A fist advance of **CHF 200'000.00** has already been paid on May 9, 2011.

Cofida Compagnie Fiduciaire  
et d'Informatique SA

  
Pierre-Yves COTS  
Certified Auditor

  
Michel BLANCHUT  
Certified Auditor

May 10, 2011 Carouge

Enclose : Annual accounts 2010  
(Statements of accounts, balance sheet and annexes)

# Balance Sheet on 31 December 2010

OMCT - Organisation Mondiale Contre la Torture - Genève / OMCT - World Organisation Against Torture - Geneva  
Compte général / General account  
Monnaie : CHF / Currency : CHF

## BILAN AU 31 DECEMBRE 2010 (avec comparatif 2009) / BALANCE SHEET ON 31 DECEMBER 2010 (with 2009 comparative)

	ANNEE 2010 / YEAR 2010		ANNEE 2009 / YEAR 2009	
<b>ACTIF / ASSETS</b>				
<b>LIQUIDITES / CASH</b>		906'419.19		1'926'236.95
Caisses / Cash funds	4'018.20		1'333.28	
CCP / Postal cheque account	59'612.33		88'733.33	
Banque Lombard et Odier / Bank Lombard & Odier	754'658.02		1'532'621.37	
Banque UBS / Bank UBS	88'130.64		303'548.97	
<b>AUTRES ACTIFS / OTHER ASSETS</b>		149'605.69		100'026.60
Impôts anticipés / Withholding tax recoverable	1'157.34		1'022.19	
Actifs transitoires / Other assets	64'006.56		13'280.49	
Garanties / Guarantees	10'468.20		10'468.20	
Débiteurs et subventions à recevoir / Debtors and grants to be received	73'973.59		75'255.72	
<b>TOTAL DE L'ACTIF / TOTAL ASSETS</b>		<b>1'056'024.88</b>		<b>2'026'263.55</b>
<b>PASSIF / LIABILITIES</b>				
<b>CREANCIERS / CREDITORS</b>		984'970.46		1'400'760.70
Créanciers / Creditors	40'972.53		200'512.96	
Frais échus / Other liabilities	83'319.17		141'072.61	
Subventions et produits reçus d'avance / Grants paid in advance	860'678.76		1'059'175.13	
<b>PROVISIONS / OTHER LIABILITIES</b>		357'850.00		637'850.00
Provision Assemblée quadriennale / Provision for Quadriennial Assembly	0.00		150'000.00	
Provision Assemblée biennale / Provision for Biennial Assembly	57'850.00		157'850.00	
Provision Conseil exécutif / Provision for Executive Council	50'000.00		50'000.00	
Provision garantie sur salaires et charges sociales / Provision for salaries and social charges	250'000.00		250'000.00	
Provision Formation / Provision for Training	0.00		30'000.00	
<b>COMPTE DE RESULTAT / RESULTS</b>		-286'795.58		-12'347.15
Report au 1er janvier 2010 / Carried forward at 1 January 2010	-12'347.15		5'746.62	
Excédent de dépenses de l'exercice / Excess of expenditures	-274'448.43		-18'093.77	
<b>TOTAL DU PASSIF / TOTAL LIABILITIES</b>		<b>1'056'024.88</b>		<b>2'026'263.55</b>

Genève, le 5 mai 2011 / Geneva, 5 May 2011

# Statement of Income and Expenditure

OMCT - Organisation Mondiale Contre la Torture - Genève / OMCT - World Organisation Against Torture - Geneva  
 Compte général / General account  
 Monnaie : CHF / Currency : CHF

COMPTE DE RECETTES ET DEPENSES DE L'EXERCICE 2010 / STATEMENT OF INCOME AND EXPENDITURE ON 31 DECEMBER 2010

ANNEE 2010 / YEAR 2010

RECETTES		2'101'722.05
Assistance d'urgence aux victimes de la torture / Urgent Assistance to Victims of Torture	77'591.65	
Droits de l'enfant / Children's Rights	150'217.27	
Violence contre les femmes / Violence against Women	0.00	
Défenseurs des droits de l'homme - Observatoire / Human Rights Defenders - Observatory	762'262.77	
Campagnes d'urgence / Urgent Campaigns	144'903.50	
Suivi des mécanismes de protection / Monitoring of Protection Mechanisms	173'259.49	
Division opérations (gestion) / Operations Division (management)	0.00	
<b>TOTAL DIVISION OPERATIONS / TOTAL OPERATIONS DIVISION</b>	<b>1'308'234.68</b>	
Droits économiques, sociaux et culturels / Economic, Social and Cultural Rights	156'617.46	
Formation / Training	58'515.00	
Division recherche & développement (gestion) / Research and Development Division (management)	0.00	
<b>TOTAL DIVISION RECHERCHE ET DEVELOPPEMENT / TOTAL RESEARCH AND DEVELOPMENT DIVISION</b>	<b>215'132.46</b>	
Division recherche de fonds & communication (gestion) / Fundraising and Commission Division (management)	0.00	
<b>TOTAL DIVISION RECHERCHE DE FONDS ET COMMUNICATION / TOTAL FUNDRAISING AND COMMUNICATION DIVISION</b>	<b>0.00</b>	
Cotisations des membres du réseau / Membership fees	2'856.17	
Dons "Club des Cent" / Donation "Club des Cent"	40'000.00	
Contributions privées / Private donations	40'770.00	
Soirées - Mailings / Gala evenings - Mailings	43'108.46	
Bulletins et produits divers / Bulletins and various donations	37'248.28	
Subventions fédérales, cantonales, communales / Federal, cantonal, communal grants	171'086.00	
Subventions gouvernementales européennes / Grants from European governments	15'000.00	
Subventions de fondations et autres / Grants from foundations and others	228'286.00	
<b>TOTAL EXTENSION, DEVELOPPEMENT DU RESEAU, REPRESENTATION EN DEHORS DU SIEGE ET GESTION / TOTAL EXTENSIONS, DEVELOPMENT OF THE NETWORK, REPRESENTATION OUTSIDE GENEVA HEADQUARTERS</b>	<b>578'354.91</b>	
<b>DEPENSES</b>		<b>-2'378'057.59</b>
Assistance d'urgence aux victimes de la torture / Urgent Assistance to Victims of Torture	142'236.44	
Droits de l'enfant / Children's Rights	274'659.07	
Violence contre les femmes / Violence against Women	46'165.98	
Défenseurs des droits de l'homme - Observatoire / Human Rights Defenders - Observatory	796'315.17	
Campagnes d'urgence / Urgent Campaigns	216'142.00	
Suivi des mécanismes de protection / Monitoring of Protection Mechanisms	172'789.97	
Division opérations (gestion) / Operations Division (management)	6'721.19	
<b>TOTAL DIVISION OPERATIONS / TOTAL OPERATIONS DIVISION</b>	<b>1'655'029.82</b>	
Droits économiques, sociaux et culturels / Economic, Social and Cultural Rights	239'632.43	
Formation / Training	104'857.33	
Conférence et réunions statutaires / Conference and statutory meetings	648.22	
Division recherche & développement (gestion) / Research and Development Division (management)	304.03	
<b>TOTAL DIVISION RECHERCHE ET DEVELOPPEMENT / TOTAL RESEARCH AND DEVELOPMENT DIVISION</b>	<b>345'442.01</b>	
Promotion	288'399.12	
Communication	34'071.51	
Division recherche de fonds & comm. (gestion) / Fundraising and Comm. Division (management)	5'301.99	
<b>TOTAL DIVISION RECHERCHE DE FONDS ET COMMUNICATION / TOTAL FUNDRAISING AND COMMUNICATION DIVISION</b>	<b>327'772.62</b>	
Extensions et développement du réseau / Extensions and development of the network	2'353.16	
Représentation en dehors du siège / Representation outside Geneva Headquarters	2'199.42	
Gestion / Management	45'260.56	
<b>TOTAL EXTENSION, DEVELOPPEMENT DU RESEAU, REPRESENTATION EN DEHORS DU SIEGE ET GESTION / TOTAL EXTENSIONS, DEVELOPMENT OF THE NETWORK, REPRESENTATION OUTSIDE GENEVA HEADQUARTERS</b>	<b>49'813.14</b>	
<b>RESULTAT AVANT INTERETS CREANCIERS ET AUTRES PRODUITS / RESULTS BEFORE CREDITORS INTERESTS AND OTHER INCOMES</b>		<b>-276'335.54</b>
<b>INTERETS CREANCIERS ET AUTRES PRODUITS / CREDITORS INTERESTS AND OTHER INCOMES</b>		<b>1'887.11</b>
Intérêts créanciers / Creditors interests	1'209.56	
Autres produits / Other incomes	677.55	
<b>EXCEDENT DES DEPENSES DE L'EXERCICE / EXCESS OF EXPENDITURES</b>		<b>-274'448.43</b>

Genève, le 5 mai 2011 / Geneva, 5 May 2011

## Non-governmental grants

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American Jewish World Service  
Brot für die Welt  
Catholic Committee against Hunger  
and for Development  
Cordaid  
Fondation de la Banque Pictet  
Hivos  
Human Rights at Work Foundation  
MacArthur Foundation  
Medico  
Misereor  
Oak Foundation

## Government grants

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Finland  
Germany  
Liechtenstein  
Norway  
Switzerland

## Grants from international or intergovernmental organisations

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European Commission  
United Nations Voluntary Fund for Victims of Torture

## Cantonal grants (Switzerland)

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Geneva  
Schwyz

## Municipal grants (Switzerland)

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Carouge  
Jussy  
Geneva  
Lausanne  
Lugano  
Mendrisio  
Plan-les-Ouates  
San Antonio

## Others

SOS-Torture network membership fees  
Private donations - Club des Cent

*OMCT extends its sincere thanks to all the contributing individuals, institutions and governments for their support and generosity.*

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# OMCT Bodies

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## Executive Council

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<b>President</b>	Yves Berthelot, France
<b>Vice-President</b>	José Domingo Dougan Beaca, Equatorial Guinea
<b>Treasurer</b>	Anthony Travis, United Kingdom
<b>Members</b>	José Burle de Figueiredo, Brazil - Aminata Dieye, Senegal Kamel Jendoubi, Tunisia - Tinatin Khidasheli, Georgia Jahel Quiroga Carrillo, Colombia - Christine Sayegh, Switzerland - Henri Tiphagne, India

## General Assembly

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<b>Africa</b>	Florizelle O'Connor, Jamaica
Boubacar Messaoud, Mauritania	Gustavo Palmieri, Argentina
Floribert Chebeya †, Democratic Republic of the Congo	<i>Jahel Quiroga Carrillo, Colombia</i>
Innocent Chukwuma, Nigeria	Claudia Samayoa, Guatemala
Oumar Diallo, Senegal	
<i>Aminata Dieye, Senegal</i>	<b>Europe</b>
<i>José Domingo Dougan Beaga,</i>	<i>Yves Berthelot, France</i>
<i>Equatorial Guinea</i>	Panayote Elias Dimitras, Greece
Sam Mohochi, Kenya	Jaap E. Doek, The Netherlands
	<i>Tinatin Khidasheli, Georgia</i>
<b>Asia</b>	Michael O'Flaherty, Ireland
Teodoro Max De Mesa, Philippines	<i>Christine Sayegh, Switzerland</i>
Vrinda Grover, India	<i>Anthony Travis, United Kingdom</i>
Adilur Rahman Khan, Bangladesh	Leyla Yunus, Azerbaijan
<i>Henri Tiphagne, India</i>	
Osamu Shiraishi, Japan	<b>Middle East and North Africa</b>
Renee Xia, China	George Abu Al-Zulof, Palestine
	Georges Assaf, Lebanon
<b>Latin America</b>	Abdel-Ilah Benabdesselam, Morocco
Ernesto Alayza Mujica, Peru	Nassera Dutour, Algeria
Luis Arriaga, Mexico	Hadi Ghaemi, Iran
<i>José Burle de Figueiredo, Brazil</i>	<i>Kamel Jendoubi, Tunisia</i>
Alberto León Gómez, Colombia	Karim Saber, Egypt
Celia Medrano Amador, El Salvador	
Roberto Garreton, Chile	<b>North America</b>
	Theresa Harris, United States of America

## International Secretariat

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<b>Secretary-General</b> Eric Sottas
<b>Deputy Secretary-General</b> Anne-Laurence Lacroix
<b>Deputy Secretary-General</b> Gerald Staberock
<b>Operations Division</b>
<b>Urgent Campaigns</b> Alexandra Kossin (Coordinator) - Clemencia Devia Suarez
<b>Urgent Assistance to Victims of Torture</b> Orlane Varesano (Coordinator)
<b>Children's Rights</b> Cécile Trochu Grasso (Coordinator)
<b>Human Rights Defenders/ Observatory for the Protection of Human Rights Defenders</b>
Delphine Reculeau (Coordinator) - Seynabou Benga (Coordinator a.i.)
Andrea Meraz Sepulveda (Project Officer) - Mercedes Rodríguez Martel (Project Officer)
Martina Schmidt ("Defend the Defenders" Project Coordinator)
Anna-Lena Svensson-McCarthy (Consultant)
<b>Violence against Women</b> Mariana Duarte (Coordinator)
<b>Research and Development Division</b>
<b>Economic, Social and Cultural Rights</b> Tom McCarthy (Special Adviser) - Francesca Restifo
<b>Fundraising and Communication Division</b>
Carin Benninger-Budel (Consultant)
<b>Administration</b> Halima Dekhissi - Claudine Fäsch - Eliane Rau-Reist - Erol Schaffner
<b>Webmaster</b> Sébastien Courvoisier
<b>IT Support</b> Alain Gross
<b>Accounting</b> Marc Aebersold and Marinella Gras-Michielini (NDC Conseil)

## OMCT-Europe

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European Coordinator Guro Engstrøm Nilsen

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# Publications and Reports

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## Economic, Social and Cultural Rights

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- *Preventing Torture and Other Forms of Violence by Acting on their Economic, Social and Cultural Root Causes; A Report on the Implementation of OMCT's Project Addressing the Root Causes of Torture 2001 - 2010*, July 2010, published in English.
- *Working for Change, No. 1, A Practical Guide to Acting against the Economic, Social and Cultural Root Causes of Torture and Other Forms of Violence through Action Files*, September 2010, published in English.
- *Working for Change, No.2, A Practical Guide to Preparing Alternative Reports to United Nations Treaty Bodies addressing the Economic, Social and Cultural Root Causes of Torture and Other Forms of Violence*, September 2010, published in English.
- *Philippines: A follow-up Report on the Implementation in the Philippines of the Concluding Observations and Recommendations of the United Nations Committee Against Torture and the Committee on Economic, Social and Cultural Rights*, October 2010, published in English.

## Children's Rights

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- *Rapport sur les conditions de privation de liberté des enfants au Bénin. La question de la violence contre les enfants privés de liberté*, December 2010, published in French.
- *Informe sobre las visitas en los centros de reclusion del Instituto del Niño y el Adolescente del Uruguay*, December 2010, published in Spanish.

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

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### Annual Report

- *Steadfast in Protest – 2010 Annual Report of the Observatory for the Protection of Human Rights Defenders*, published in September 2010 in French, English, Spanish, Arabic and Russian.

### Missions Reports

- *The Right to Food in Guatemala - Final Report of the International Fact-Finding Mission*, March 2010, published in English and Spanish.
- *Intervenciones urgentes emitadas por El Observatorio en 2008 y 2009 relativas a Guatemala*, March 2010, published in Spanish.
- *Nigeria: Defending Human Rights: Not Everywhere - Not Every Rights - International Fact-Finding Mission Report*, April 2010, published in English.
- *Syria: Summary Report on the Compliance of the Trial of Muhannad Al-Hassani before the Second Criminal Court in Damascus with International Standards of Fair Trial*, June 2010, published in English.
- *Chile: Edwin Dimter Bianchi contra Pascale Bonnefoy, Séptimo juzgado de garantía, Santiago de Chile - Informe de misión de observación judicial, 14-18 de enero de 2010*, July 2010, published in Spanish.
- *Cambodia: Freedoms of expression, association and assembly: a Shrinking Space - International fact-finding mission report, with the cooperation of the International Trade Union Confederation*, September 2010, published in English.
- *Tunisie: Rapport de synthèse des missions d'observation judiciaire relatives au procès de M. Fahem Boukaddous, journaliste et de M. Hassan Ben Abdallah, militant syndical*, October 2010, published in French.
- *México: Misión de actualización de la misión internacional de investigación sobre la situación de los defensores de los derechos humanos en México (junio 2008), Informe de Misión*, October 2010, published in Spanish.
- *Syria: A Prison for Human Rights Defenders*, October 2010, published in English and French.

## Violence against Women

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### UN Committee on Economic, Social and Cultural Rights

- *Note d'information au Comité des droits économiques, sociaux et culturels: Discriminations et violences conjugales à l'égard des femmes ayant un statut précaire en Suisse, Groupe de travail Femmes migrantes - violences conjugales*, submitted in September 2010, published in French.

## Contact details

### OMCT - International Secretariat

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omct@omct.org  
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### Post office account

Geneva, CCP 12-5500-1

### Bank accounts

UBS SA, Geneva, Switzerland  
Agence du Rhône, P.O. Box 2600  
1211 Geneva 2

Account No. 279.C8106675.0  
Holder: OMCT SOS TORTURE  
IBAN: CH91 0027 9279 C810 6675 0  
Swift Code: UBSWCHZH80A

### LOMBARD ODIER DARIER HENTSCH & Cie

Rue de la Corrairie 11  
1211 Geneva 11, Switzerland

Account No. 88515.00  
Holder: OMCT SOS TORTURE  
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Swift Code: LOCYCHGG

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### IMPRESSUM 2010 Annual Report

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