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*As we pause to take stock of the past year, a recurrent question arises: does the progress that has been witnessed in certain domains outweigh the regression that has been noted in others? For human rights in the year 2002, it is harder than ever to give an accurate answer to this quandary.*

*Two major events marked the last twelve months of what can only be described as a pivotal period: the establishment of a criminal justice system that is applicable to all, and an upsurge in the detrimental questioning of systems of protection of fundamental rights.*

On July 1st, 2002, the International Criminal Court officially came into being. The Statute of Rome, which was adopted in 1998 and led to the creation of this institution, had intended the court to become effective sixty days after the sixtieth ratification of the said Statute. In the spring of 2002, the number of State Parties reached the required threshold. Although it will take many months after July 1st, 2002 for the Court to become operational, nonetheless any crime committed under the jurisdiction of the Court after this date by an individual will mean that the perpetrator can be brought to stand trial before this institution's judges.

The creation of the International Criminal Court represents the culmination of a struggle that has spanned more than fifty years. From the late 1940s onwards, the United Nations began envisaging the creation of an international court capable of judging the perpetrators of particularly grave crimes, such as those defined in the Convention on Genocide. However, various legal obstacles (for example, the inability

to achieve consensus on the definition of the crime of aggression) and considerable political opposition (the leaders of the great powers were not prepared to accept the creation of a system with international jurisdiction that could hand out criminal judgments) prevented the establishment in the early 1950s of the International Criminal Court that had been envisaged.

The war in former Yugoslavia, that was accompanied by the reprehensible policy of ethnic cleansing, the atrocities committed by the Khmers rouges in Cambodia, the genocide in Rwanda, the horrors of the conflict in Sierra Leone and the threats in East Timor, led the international community to create ad hoc courts designed to judge the perpetrators of these crimes. This approach, however well justified, raised the issue of how the selection of the tragedies that were to benefit from such courts had been conducted. Furthermore, the courts that have been established have also been hindered by questionable limitations to their activities. It is therefore hardly surprising that the idea of an International Criminal Court should have re-emerged within a context where it was so clearly necessary. On the other hand, what was particularly surprising was that this institution was so broadly accepted by the relevant leaders.

If we were to only consider July 1st and the official establishment of the International Criminal Court, we would be justified in stating that the past year represents one of the most important steps towards en-



suring the respect for human rights since the Declaration in 1948. OMCT, which currently constitutes the main coalition of non-governmental organisations combating torture, is not only delighted by this accomplishment, but sees this new instrument as an additional mechanism that will enable it to intensify the action it undertakes in the struggle against the impunity enjoyed by the perpetrators of torture and its efforts to obtain appropriate redress for the victims of these acts.

While is true that the court still faces a number of challenges and obstacles, nonetheless, a significant taboo has been broken as a result of its establishment. These challenges include that fact that the court will only pass its first sentences in a few years; that major powers such as the United States and China are opposed to this instrument; that only a portion of States have accepted the Statute of Rome; and that only the gravest crimes are liable to be judged by this court. However, from now on, those who govern as well as their subordinates may have to answer for their crimes before a permanent court. This constitutes an indisputable and substantial landmark towards the respect for human rights.

Nonetheless, 2002 is unfortunately not only the year of the International Criminal Court. It is also, in the wake of the terrorist attacks of September 11<sup>th</sup>, 2001, that of the fight against terrorism – a struggle in which methods that OMCT has repeatedly denounced have been resorted to around the world. As with all organisations responsible for the defence of human rights, OMCT considers that se-

curity constitutes a fundamental right for each human being and that it is incumbent on the State to protect individuals so that they may all enjoy this right freely. Since its creation, OMCT has always denounced terrorism – be it state terrorism or terrorism emanating from non-state actors – while insisting on the fact that, regardless of how just a given cause may be, it cannot be pursued by any and all means.

Even though security is a central right, this right cannot be defended by violating the universally recognised fundamental obligations that are codified in international human rights and international humanitarian law.

While OMCT continues to condemn the atrocities committed by extremist regimes such as the Taliban leaders in Afghanistan or extremist movements which strike at civilian populations, and while it believes that the perpetrators of these crimes must be arrested, judged and receive sentences to punishment proportional to the gravity of their crimes, it cannot subscribe to policies that flout the fundamental rights of the accused.

In this respect, 2002 witnessed some extremely worrying events. In Guantanamo, the United States refused to provide adequate protection to all detainees, whether they were alleged members of the Taliban or Al Qaeda, including the protection which the Geneva Conventions – and particularly the 3rd Convention dealing with the situation of prisoners of war – grants to any captured person, and also the guar-



antees of a fair trial and of protection against torture and other cruel, inhuman or degrading treatment contained in international instruments and in American law.

This denial of justice, specifically in the name of the fight against terrorism and the protection of security, not only led to a decision to ignore the binding norms of human rights and international humanitarian law, but also undermined the still fragile framework that has been established since the Universal Declaration of Human Rights in 1948 and the adoption of the Geneva Conventions in 1949. Not only have these key fundamental instruments been disregarded or weakened, but, in addition, the multilateral system that has attempted to regulate worldwide society for half a century according to recognised norms, has suddenly been called into question.

Within this context, a debate concerning the legitimacy of the use of torture, that one might have hoped had been definitively settled, suddenly re-emerged in the media of countries that claim to be defenders of human rights. At OMCT, we are fully aware of the fact that, even though it is forbidden by law in most states and unanimously condemned, torture continues to be practiced in the majority of countries around the globe. The concerted efforts of organisations that are dedicated to the defence of human rights are directed towards making these violations known in order to bring them to an end, by means of the pressure applied by public opinion.

But if the fundamental texts are challenged by world leaders and if public opinion approves the use of torture – even if only in extreme and very special situations – through which system are we to continue to pursue this struggle and on what societal forces can we rely in order to bring about the respect for fundamental rights?

2002 thus concluded with a major victory: those responsible for the most serious crimes, whatever their function or station, may now be brought to court; and a harrowing defeat: for many democratic peoples and governments, the most fundamental norms of human rights and international humanitarian law are now being called into question.

Faced with this contradictory development, OMCT has adopted an unambiguous stance that serves as a reminder to the world that, over and above political contingencies, cultural sensitivities and the emotional reactions of persons or populations that are living in a state of post-traumatic stress, there are binding norms which apply to all people and all circumstances, and that the prohibition of torture is one of the cornerstones of any human rights system.

Solemn declarations, however, are insufficient in themselves if we are to curb this negative trend. That is why OMCT has intensified its programmes and particularly those dealing with the underlying causes of torture and its social, economic and cultural roots.



Moreover, and in conjunction with the FIDH, we are pursuing our efforts to achieve enhanced protection for human rights defenders, whose action within the current context is increasingly presented, by those engaged in advocating a policy of blind repression, as one of complicity with terrorists.

Naturally, we continue to denounce any violation, wherever it takes place, while highlighting the situation of the most vulnerable groups, particularly women and children.

Despite the drastic reduction in resources in the field of urgent assistance to torture victims, OMCT has been able to continue providing such aid, and intends to pursue these essential activities in the coming years.

OMCT's International Secretariat has assisted many local NGOs in their efforts to ensure the respect for human rights by national or local authorities, notably by conducting joint surveys and research that is then submitted to the monitoring bodies that are in charge of supervising the implementation of fundamental human rights norms. This action is consistent with OMCT's paramount belief that the battle for human rights takes place predominantly in the field, alongside and in collaboration with the victims of these abuses.

Although OMCT has engaged in many different efforts, for which there is insufficient space here to include an exhaustive list, Nigeria deserves a special mention in this area. This country, which in 1999 emerged

from a particularly bloody dictatorship, is currently experiencing a level of violence, which in large part remains outside the purview of international public opinion. For two years, OMCT has conducted an in-depth programme of investigations on the crimes committed in the country, encompassing all types of perpetrators and victims, with the participation of sixty local NGOs. The report, which was presented to the press in Lagos on August 26th, 2002, was welcomed not only as one of the most reliable and most exhaustive ever produced on this country, but also as the result of the combined efforts of NGOs including Nigerian authors from all of the country's religious, cultural and political groups and denominations, which represents a major accomplishment in this country.

The current situation vividly illustrates the paradox of a State in which NGOs from various backgrounds manage to agree on a joint position, and on recommendations that have been accepted by all, but where the authorities that are the product of the re-establishment of democracy, resort to the old dictatorial methods in order to prevent open debate, in the name of security.

So does the year 2002 mark the start of a renewal of human rights or the failure of the great utopian ideas, which, in the aftermath of World War II, led to the creation of the United Nations and to the adoption of the Universal Declaration? The answer to this question depends on us all.

*Eric Sottas, Director*



## The OMCT network...

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

The World Organisation Against Torture (OMCT) was conceived following consultations between the concerned international experts and national human rights organisations, which underlined the importance of national action in the fight against torture. The organisation's structure and working methods remain radically different from those of other international human rights organisations. OMCT works on the premise that the long-term eradication of torture will not be achieved from Washington, London or Paris, but will instead result from action taken in the field. That is why OMCT's strategy is geared towards strengthening and supporting local and national initiatives.

Working within a network structure is increasingly accepted as being the most effective means for operating in a world beset by instability. In the business sector, for example, the companies that are performing most effectively are those that have kept pace with technological advances and are making use of a network-orientated structure as their chosen means of management.

Fifteen years of experience in working with this model have proven that it is remarkably effective. OMCT's reputation and reliability are made possible by its "bottom-up" structure, which drives and directs its actions and priorities. It is the grass-roots organisations that inform and guide OMCT's international strategy, based on their daily, first-hand knowledge of the fight against torture and other massive human rights violations. OMCT's guiding principle, which dictates its modus operandi, is to assist the victims in partnership with the persons who are on the front line and thus best acquainted with their needs.

The role of the International Secretariat is defined by its members – the human rights defenders and organisations that combat torture at the local level. Its role is to supply its members with the tools and services they need to carry out their work, to help them to enhance their effectiveness in preventing and denouncing torture, in order to bring





## ... The shared hope of a future free from torture

the perpetrators of serious human rights violations to justice and provide assistance to victims.

OMCT does not claim to possess all of the solutions to such complex and difficult issues, but rather, aims to respond as effectively as possible to the needs of local organisations in their fight to achieve the respect for human rights. OMCT's programmes provide national human rights organisations with tailor-made tools that they can use in their struggle against torture.

### **A shared vision**

In our view, a network enables each partner to benefit from a greater range of means of action, heightening the effectiveness of their fight against torture, and allowing for more rapid and effective responses to constantly changing situations and needs of victims.

By 2002, the network had grown to include 261 members, comprising many of the most efficient organisations in their field of intervention, all of which share a common vision and pursue the same ideals.

The OMCT network is not just a forum for discussion: it exists in order to encourage action. Where circumstances dictate it, this action is undertaken in a strictly confidential manner, far removed from the media coverage that often proves to be dangerously counter-productive.

This report will inform readers about the results achieved in the face of a hugely unfavourable balance of power, thanks to a shared approach within the network and to the complementary nature of the operations undertaken by the members of the network and OMCT's International Secretariat.

In light of the constant increase of human rights violations and the perpetual need to fine-tune the means through which the fight against torture is conducted, OMCT faces the ongoing challenge of securing the resources that are necessary to enable it to continue with its struggle for the respect of human rights.



## Urgent Campaigns Programme

The Urgent Campaigns Programme, which was created at the organisation's inception in 1986, comprises an important part of OMCT's core activities. It epitomises the cooperation between the SOS-Torture network, which consists of 261 non-governmental organisations (NGOs), and OMCT's International Secretariat. The Urgent Campaigns Programme links the groups that are most capable of providing the appropriate assistance to victims of: torture; arbitrary and/or incommunicado detention; cruel, inhuman and degrading treatment or punishment; risks and threats of torture; death threats; death in detention; capital punishment; forced or involuntary disappearances; extrajudicial and/or arbitrary executions; and the other human rights violations that form OMCT's mandate. NGOs that are members of OMCT's network provide reliable, well-documented information directly from the field, enabling the organisation to submit cases involving the violation of fundamental human rights to the appropriate international authorities. This cooperative work at the international level functions as a complement to the action taken by NGOs at the regional and national levels.

Urgent campaigns enable an ever-broadening audience - which consists of institutions at the international, regional and national levels as well as individuals - to intervene on behalf of victims in a rapid and efficient manner. The primary objective of the intervention is to urge the authorities to put an immediate stop to the violations being denounced.

The authorities are also asked to respect the commitments made at the international level in the field of human rights, in order to assist in the prevention of future violations.

The Urgent Campaigns Programme strives to respond to the needs of local human rights NGOs by publicizing specific human right violations. Urgent appeals are used to support and reinforce the NGOs' activities.

The Urgent Campaigns are mainly aimed at :

- averting and preventing specific acts of torture or other serious human rights violations;
- guaranteeing protection and obtaining adequate redress for victims;
- preventing future violations, particularly by fighting against the impunity enjoyed by the perpetrators of these acts.

### **The SOS-Torture network**

The speed with which information travels is an essential element in guaranteeing the effectiveness of an intervention. OMCT relays the information submitted by network members within 24 hours, in the form of urgent appeals, to those addressees most able to act swiftly and effectively concerning the particular situations. The recipients are tasked with referring the matter to the appropriate authorities, requesting the



## Urgent Campaigns Programme

implementation of specific recommendations, and informing the International Secretariat of the results of their actions.

The success of the Urgent Campaigns Programme relies on the SOS-Torture network. The members, who represent 87 countries, provide relevant information to OMCT about human rights violations. OMCT endeavours to maintain and reinforce its links with network members and to enhance communication strategies with and amongst them. The presence of these organisations in the field provides OMCT with sources of accurate and detailed accounts of the human rights situation in the organisations' respective countries.

### Activities

During 2002, 253 urgent appeals in English, French or Spanish were drafted and disseminated, of which there were:

- 150 appeals in English (original language);
- 74 appeals in Spanish (original language);
- 29 appeals in French (original language).

In all, 3138 victims in 46 countries were assisted by urgent appeals. OMCT intervened most frequently in the following countries: Azerbaijan, Colombia, the Democratic Republic of Congo; Israel and

the occupied territories; Kyrgyzstan, Mexico, Malaysia; Sri Lanka; Sudan and Tunisia. These are the countries for which OMCT received the most information from the network relating to specific cases. They do not necessarily represent the countries in which the human rights situation is the worst. For more details regarding the countries, the victims, and the types of violations that OMCT dealt with in 2002, see the statistics related to urgent appeals on page 40.

OMCT has also intervened on 61 occasions in cases of human rights violations by means of confidential bilateral communications with the relevant authorities. In addition, it published 52 press releases concerning specific violations or country situations.

During 2002, OMCT staff members in charge of the Urgent Campaigns Programme participated in several international, national and regional conferences to promote and follow-up on work undertaken by the programme and to foster NGO contacts. These meetings included the Conference on the Development of Democratisation in Bahrain; the African Commission on Human and Peoples' Rights; the 2002 OSCE meeting on "Human Dimension Implementation"; the United Nations Sub-Commission on the Promotion and Protection of Human Rights as well as the Human Rights Commission; and a workshop relating to urgent action in Guatemala.



# Urgent Campaigns Programme

## **Preparation and circulation of urgent appeals**

In 2002, OMCT's Urgent Campaigns database facilitated the drafting of urgent appeals. This improved database enables OMCT to report detailed statistics, to monitor the development of the human rights situation in specific countries, and to receive automated alerts, ensuring the systematic follow-up of cases requiring regular intervention. The OMCT information technology infrastructure was updated during the year, including the installation of a new server and software, which has enabled the more rapid dissemination of the large number of urgent appeals. Urgent appeals are also circulated by post and are available on-line on the OMCT website ([www.omct.org](http://www.omct.org)), allowing an increasingly broad public audience to access the information.

Another priority in 2002 was to take advantage of the possibilities that the Internet offers. OMCT recognizes that the quality of assistance that victims receive depends upon the resources that are available, and by increasing these resources, for example the human support resources that the Internet can offer, it will have a positive impact on the assistance that the victims receive. OMCT believes that the Internet is a vital factor in its communication strategy, enabling urgent appeals to benefit from a broader support-base. Consequently, the programme explored new improvements for OMCT's website, including the inclusion of interactive features, that will allow for more

effective participation of organisations, institutions and individuals in the urgent campaigns.

## **Challenges and difficulties encountered**

One of the major challenges that OMCT and the Urgent Campaigns Programme faced in 2002 was the need to improve the global coverage of the SOS-Torture network. OMCT is unable to make use of its urgent appeals system in countries where it has no network members. The system is based upon the provision of verified information from the field. Conditions in many of these countries prevent human rights defence organisations from working freely. For example, in Chechnya, China, Iran and Myanmar, which are the scenes of grave abuses, non-governmental organisations are either insufficiently independent, unstable, or are prevented by the governments from establishing themselves or conducting their work.

In 2002, the Urgent Campaigns Programme made headway in resolving this problem in a number of countries by establishing contacts with new sources of information. Although many of the working relations have only recently been established, the efforts made in 2002 should engender significant results in the coming years. Despite this progress, there are still several regions of the world where the network coverage



## Urgent Campaigns Programme

and the degree of activity need to be further developed, including: Russia, West Africa and Central America.

Case follow-up is another area that calls for increased efforts. Follow-up information is useful in evaluating the need for future action and the impact of the OMCT campaigns. Although the SOS-Torture network enables effective denunciation of human rights violations, the systematic follow-up of these actions is often difficult. Local NGOs, which often work in volatile environments with limited resources, tend to focus on the most urgent cases. The organisations alert OMCT to arrests or risks of torture, but may not have the resources necessary to provide follow-up information. OMCT, unfortunately, does not always receive information about releases or other results obtained as a consequence of its campaigns. OMCT continues to seek a method for ensuring more systematic monitoring of the progress and impact of its individual activities.





## Special Procedures Programme

The activities undertaken by the Special Procedures Programme are complementary to those of the Urgent Campaigns and the Urgent Assistance to Victims of Torture programmes. The programme facilitates victims' and local NGOs' access to the various United Nations mechanisms that specialise in the struggle against torture. The goal of this programme is to provide practical legal support to victims and national NGOs wishing to access resources made available by UN bodies, such as the Committee Against Torture or the Human Rights Committee. Another major aspect of this programme is the development of effective international instruments and the struggle to ensure their application.

The main objectives of the programme are to enable national and regional human rights defence NGOs to:

- make effective use of international human rights mechanisms;
- reinforce their links with the international community, thereby consolidating their protection from any form of attack;
- develop their skills in the area of human rights, enabling them to transmit them to other grass-roots NGOs.

This programme was set up in June 2001 and initially focused its ef-

forts on enhancing the participation of human rights defence NGOs in the Committee Against Torture's proceedings.

### Activities

In 2002, OMCT cooperated with numerous national and regional NGOs on alternative reports that were submitted to the Committee Against Torture and the Human Rights Committee, through the Special Procedures Programme.

Reports drafted jointly with SOS-Torture network members and non-members were presented to the Committee Against Torture. These reports focused on the human rights situation, specifically the prohibition of torture, in the following countries: Uzbekistan, in conjunction with the "Legal Aid Society"; Venezuela together with the "Red de Apoyo por la Justicia y la Paz"; Egypt in conjunction with "The Egyptian Organization for Human Rights"; and a monitoring report on Israel was produced in cooperation with "LAW" and the "Public Committee Against Torture in Israel". Information regarding the situation in Brazil was submitted in conjunction with ACAT Brazil. A report dealing with sexual preferences and torture in Egypt was presented to the Committee against Torture. Finally, an additional joint report on Israel, written in conjunction with "LAW" and the "Public Committee Against Torture in Israel" - both



## Special Procedures Programme

of which are members of the SOS-Torture network - was also presented to the Human Rights Committee.

OMCT and its partner organisations responded to the conclusions and recommendations of the Committee Against Torture by disseminating press releases. Moreover, OMCT also made statements through press releases on situations of human rights violations such as those being perpetrated against the detainees that are currently being held in Guantanamo.

OMCT also provided financial support, permitting representatives of these organisations to attend the committees' sessions in Geneva in order to present their observations and recommendations.

In addition, OMCT invited representatives of the "Coordinadora de Solidaridad con las Personas presas" in Spain; the "Human Rights Center for the Assistance of Prisoners" in Egypt, and the "Legal Information Center for Human Rights" in Estonia, to Geneva in order to participate in the informative sessions organised for experts of the Committee Against Torture. In 2002, OMCT was able to invite twelve representatives of national NGOs to participate in sessions of the Committee.

The reports presented by these NGOs denounced torture and ill treatment in the concerned countries, but also emphasised the legal, ad-

ministrative and structural deficiencies that foster the persistence of such practices and the impunity enjoyed by their perpetrators. In Uzbekistan, for example, the report revealed the public prosecutor's lack of independence and his refusal to open enquiries following allegations of torture. In Egypt, the report highlighted the problem of the constant and systematic practice of torture, the difficulties encountered by NGOs due to repressive legislation, and the serious consequences arising from maintaining the state of emergency. The report on Venezuela focused attention on the impunity enjoyed by the perpetrators of torture. The reports on Israel denounced the serious deterioration of the human rights situation during the previous year and the increase in allegations of torture.

### **Challenges and difficulties encountered**

The response to the Special Procedures Programme was positive and participants indicated a desire to follow up on the activities undertaken at the national level in their evaluations. Unfortunately, the current budget cannot cover these expenses.



# Urgent Assistance to Victims of Torture Programme

## The intrinsic purpose of the programme

The Urgent Assistance to Victims of Torture Programme is intended for any person, adult or child, who is a victim of torture or other cruel, inhuman or degrading treatment and is in urgent need of medical, social and/or legal assistance.

This programme is governed by certain criteria that stipulate when assistance can be granted:

- the assisted persons are direct or indirect victims or persons threatened with torture;
- the assistance requested on behalf of the victim must be of an urgent nature;
- the case must be presented or guaranteed by a member-organisation of the SOS-Torture network. The organisation must certify the veracity of the information and guarantee the proper use of the funds (if no member of the network operates in the concerned country, OMCT refers to member-NGOs in the region in order to establish contact with an organisation with which they are acquainted, in order to check the veracity of the case);

- the appropriateness of the treatment requested on behalf of the victim and the type of assistance required for this treatment must be confirmed by competent persons, meaning doctors, lawyers or other specialists.

## Activities

The number of requests for assistance has steadily increased since the creation of the Urgent Assistance to Victims of Torture programme, demonstrating that it responds to a genuine need. The following list of cases per year gives an indication of the trend: 28 cases in 1986 (221 victims), 44 cases in 1997 (142 victims), 39 cases in 1998 (188 victims), 52 cases in 1999 (198 victims), 64 cases in 2000 (233 victims), 66 cases in 2001 (156 victims). The International Secretariat of OMCT provided assistance in 56 cases (involving 115 victims) in 2002 [see statistics, pages 44].<sup>1</sup>

The decrease in the number of cases and victims noted in 2002 is a result of a significant decrease in available funds and not a drop in requests for assistance.

<sup>1</sup> - A case may involve several victims.





## Urgent Assistance to Victims of Torture Programme

More important, the assistance that OMCT provides has, in every case, engendered an improvement in the situation of the victims, and in some cases saved lives. For victims suffering from mental and physical health problems, the assistance provided has enabled physical and psychological recovery. Assistance funds have, amongst other things, covered the cost of evacuation to centres specialised in caring for torture victims and contributed to the cost of operations that have been vital for the rehabilitation of the victim. In terms of legal assistance, some victims have obtained political asylum, while others have been given financial support enabling them to undertake proceedings aimed at obtaining redress and compensation. Finally, other victims have been removed from situations in which they faced serious threats, in order for them to avoid once again being subjected to torture, summary execution or “disappearances”.

Running the Urgent Assistance to Victims of Torture has become more complex in recent years, and more particularly in 2002. The programme has moved from a purely assistance-oriented approach to a more global approach, characterised by close interdependence with the other programmes operated by the organisation, for example, the Special Procedures Programme.

As part of the Special Procedures Programme, OMCT actively cooperates with the United Nations Committee Against Torture on issues

taken up by the Urgent Assistance to Victims of Torture Programme. In every report, OMCT highlights the absence of legal recourse in order to obtain reparation for the victims, suggests possible ways of remedying this deficiency, and identifies the systems that guarantee torturers' impunity. The conclusions and recommendations of the United Nations instruments, which are often influenced by suggestions appearing in OMCT's reports, frequently ask the States to amend or adopt new legislation and to establish social policies relating to victims of human rights violations. These conclusions and recommendations serve as indispensable lobbying tools for grass-roots organisations. Consequently, there is a very close link between this normative work with the Committee Against Torture and the activities undertaken by the Urgent Assistance to Victims of Torture Programme.

It is not enough only to provide assistance corresponding to the physical and psychological injuries that the victim has sustained. It is crucial that the victim is able to obtain redress for this suffering. This includes rehabilitation, adequate compensation, reintegration within society, and punishment of the perpetrator. In this respect, several legal proceedings on behalf of victims of torture were launched and submitted in collaboration with the United Nations Committee Against Torture and the Human Rights Committee during 2002. Furthermore, the legal actions of several individuals and lawyers also received support from OMCT during the year.



# Urgent Assistance to Victims of Torture Programme

## Challenges and difficulties encountered

The most serious difficulties that OMCT encountered in running the Urgent Assistance to Victims of Torture Programme were financial. In 2002, despite an extremely positive evaluation by a major donor responsible for supplying over half of the programme's operating budget, OMCT lost this donor's support. Restricted resources limited the number of cases and victims OMCT could assist. Fortunately, several donations helped to offset some of the lost funding.

Another major difficulty was the inability of the programme to meet every request for assistance. Some requests do not meet the extremely strict criteria for urgent assistance and, despite obviously distressing circumstances, the programme cannot therefore provide help.

The large number of requests from persons fleeing the conflicts sweeping the African continent is one example of this problem. Evaluating these requests – submitted by individuals and not by NGO members of the SOS-Torture network – requires considerable work. Many of these requests could not be accepted because they fell outside the criteria established for the programme. Even when the programme could not provide assistance, however, OMCT, in cooperation with other organisations, made every effort to find solutions to the problems in question.

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The Urgent Assistance to Victims of Torture Programme will face the same financial difficulties in 2003 as it did in 2002. Major fundraising efforts are necessary to ensure minimal financing of the project, which corresponds to assistance to 150 victims (the number of cases and victims that are to be assisted, will therefore depend on the number of requests made and the financial resources that are available).





# Children's Rights Programme

## **The purpose of the programme**

Since the time of its creation in the mid-1980s, OMCT has recorded a growing number of serious human rights violations directed against children. At the request of the OMCT General Assembly, the Children's Rights Programme was created in 1991. This programme aims to promote the protection of children against torture and other forms of violence, in compliance with the provisions of the international Convention on the Rights of the Child, which was adopted in 1989 and ratified by almost all States.

presenting a draft resolution on the rights of the child. Similar approaches were taken in connection with the resolutions on the right to education and on juvenile justice.

Among the amendments supported by OMCT, the Commission on Human Rights specifically suggested that the Secretary-General of the United Nations appoint an independent expert to perform a broad-based study on violence affecting children. The goal of this proposed study would be to recommend concrete measures aimed at effectively combating this phenomenon.

## **Highlights**

***United Nations Commission on Human Rights:  
OMCT heads the NGO coalition for the promotion  
of the rights of the child***

During the United Nations Commission on Human Rights, which took place from 18 March to 26 April 2002, OMCT was involved in intense lobbying activities. The primary goals were set by the Tampere Declaration, which was adopted in 2001 at the OMCT International Conference. With these goals in mind, the Children's Programme established close contacts with the Latin American States in charge of

***United Nations Special Session on Children, 8-10 May 2002:  
few results to celebrate***

The Special Session on Children of the General Assembly of the United Nations was held in New York from 8 to 10 May 2002. Around 70 Heads-of-State gathered to evaluate the situation of children in the world and to adopt a new programme of action entitled "A world fit for children". Despite major negotiation efforts undertaken by NGOs, and by OMCT in particular, the end-document was disappointing because it mostly echoes commitments already made in the past and provides for very weak monitoring instruments. In particular, OMCT fought to ensure that the programme of action should be clearly based on the



## Children's Rights Programme

Convention on the Rights of the Child. In the programme of action, OMCT supported the inclusion of language stating the necessity of protecting children against torture and offering them a system of justice respectful of their human rights and dignity. The programme also calls upon States to respect the prohibition of the death penalty for crimes committed by persons under the age of eighteen.

### *Launch of the Final Report of the Tampere Conference*

On 3 September 2002, OMCT officially presented the Final Report of the OMCT International Conference on children, torture and other forms of violence at press conferences organised simultaneously in eight countries (Bahrain, Colombia, India, Israel/Palestine, Peru, the Philippines, Senegal and Switzerland). This report proposes a declaration and regional programmes of action aimed at eliminating torture and violence affecting children. It is available from the OMCT International Secretariat in French, English and Spanish.

### *Urgent appeals*

In 2002, OMCT continued to receive regular information concerning particularly grave violations of children's human rights in all regions

of the world. Forty-seven urgent appeals covering twenty-three countries were issued.

Children are the victims of torture and ill treatment in countries with very different historical, economic, social and cultural contexts. In particular, this year, OMCT intervened in Russia, Uzbekistan, Kyrgyzstan, Nepal, Bangladesh and Sri Lanka, to denounce acts of torture and ill-treatment of children by the police forces, often with the aim of obtaining confessions to crimes they have not committed. In Iran and Sudan, OMCT firmly condemned the use of corporal punishment such as amputation and flogging, as well as the death sentence.

Extrajudicial executions of street children, sometimes on a wide scale, remains one of the most worrying phenomena witnessed in 2002, particularly in Nicaragua, Honduras and Guatemala.

Children are frequently imprisoned in cruel and inhuman conditions, which often amount to forms of torture. In the Philippines, OMCT denounced the situation of four children imprisoned for 23 hours in a tiny overheated cell where they slept on the ground in deplorable sanitary conditions. The children were finally released. Detention conditions contrary to the rights of children were also denounced in Spain and Israel.



## Children's Rights Programme

### *Contributions to the work of the United Nations Committee on the Rights of the Child*

#### *Alternative reports*

In 2002, OMCT submitted nine alternative reports to the Committee on the Rights of the Child. These reports were also presented verbally before members of the Committee. They covered the following countries: Spain, Switzerland, Tunisia, Argentina, Sudan, Ukraine, the Czech Republic, Haiti and Italy. The goal of these reports is to highlight deficiencies in national legislation regarding international commitments made by governments to protect the rights of the child, as well as to denounce practices contrary to these commitments.

Several of these reports showed that children are frequently tortured and ill-treated in police stations and detention centres. OMCT denounced practices such as sexual abuse, blows to sensitive parts of the body, cigarette burns, keeping children standing in the sun, food and sleep deprivation, as well as placing children in solitary confinement. Moreover, OMCT also denounced the appalling detention conditions in which many children are held. Children are often detained with adults and are kept in overcrowded unsanitary establishments where access to basic care is limited or non-existent and education is rarely provided.

Trafficking in children for the purpose of sexual exploitation or forced labour is also an extremely worrying phenomenon that OMCT has noted in several of its reports. The Czech Republic and Ukraine are major source and transit countries for this inhuman trade. OMCT denounced the attitude of authorities in certain destination countries, such as Italy, who tend to treat these children as illegal immigrants rather than as the victims of serious abuse.

In Spain, OMCT again condemned the arrest and arbitrary expulsion of street children of Moroccan origin in Ceuta and Melilla; while in Switzerland, OMCT denounced the possibility of placing juvenile asylum seekers over the age of 15, who have not been granted asylum, in administrative custody.

### *Contribution to the day of general discussion devoted to the privatisation of services and to the rights of the child*

This year, the Committee on the Rights of the Child devoted its day of discussion to the influence of the privatisation of services on children's rights. OMCT participated in this event, insisting on the dangers of the privatisation of prisons for juveniles and of security firms.<sup>2</sup>

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2 - The OMCT Economic, Social and Cultural Rights Programme took part in this intervention by underscoring the primacy of human rights over trade agreements and by more specifically dealing with the privatisation of systems of access to water, health and education.



## Children's Rights Programme

### *Open letter on the practice of amputations, stoning and flogging*

Amputation, stoning and flogging are forms of corporal punishment that are still permitted by certain States. The Committee on the Rights of the Child denounced these practices that it considers as cruel, inhuman and degrading punishment. In an open letter published on 20 August 2002, OMCT requested that the Committee reinforce its condemnation by explicitly considering amputation and stoning, as well as flogging in the most serious cases, as torture in the full sense of the term.

### **Challenges and difficulties encountered**

On the basis of the Tampere Declaration adopted at the OMCT International Conference in 2001, OMCT pursued its campaign in 2002 for the nomination of a United Nations Special Rapporteur on violence against children. Numerous contacts with member-States of the United Nations Commission on Human Rights were established on this issue. Despite several positive signs early on, the project was eventually not approved, since the majority of States preferred to await the conclusions of the international study that is being carried out by the United Nations before adopting new implementation instruments.





# Women's Rights Programme

## *Violence against Women Programme: a three-fold strategy*

To respond to growing awareness of the problem of violence against women, OMCT created a programme in 1996 aimed at specifically analysing and addressing the gender-specific causes and consequences of torture and other forms of violence against women.

The approach that the programme has adopted aims to both prevent and respond to acts of torture and any other form of violence against women through activities set up in order to better integrate a gender-specific perspective on women's human rights within national, regional and international mechanisms for the promotion and protection of all human rights. The three activities that have been developed to implement this strategy are: the circulating of urgent appeals on violence against women; the submission of alternative country reports on violence against women to the United Nations Committee on the Elimination of Discrimination against Women; the submission of country reports on violence against women and girls to the five “mainstream” United Nations human rights treaty monitoring bodies, in an effort to integrate a gender perspective into their work.

## **Activities**

### *Urgent appeals on violence against women*

The sending of urgent appeals on specific cases of violence against women has been part of OMCT's strategy since 1996. In 2002, the Violence against Women Programme circulated 25 urgent appeals relating to cases of violence against more than 50 women and girls in eight countries. These appeals were systematically addressed to all members of the SOS-Torture network; to organisations working in the field of women's fundamental human rights; to the appropriate UN mechanisms, such as the Special Rapporteurs on torture and violence against women, its causes and consequences; as well as to regional authorities, such as the Special Rapporteur on women's rights of the African Commission on Human and People's Rights. Cooperation with the United Nations Commission on the Status of Women was strongly reinforced in 2002, through the submission of information concerning violence directed against women.

In 2002, a large number of OMCT's appeals and communications relating to violence against women concerned corporal or capital punishment, particularly in Nigeria and Sudan, where women were sentenced for adultery or extra-marital sexual relations. OMCT is gravely concerned by the recent increase in the number of such cases and has



## Women's Rights Programme

campaigns actively against the practices of stoning and flogging which OMCT considers to be forms of torture and cruel, inhuman and degrading treatment or punishment, which are prohibited by international law. OMCT also underscored the fact that women are sentenced to such punishment more often than men by a large majority, due to gender discrimination in the administration of justice.

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

In 2002, OMCT submitted four alternative reports to the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) concerning violence directed against women in Sri Lanka, Tunisia, Zambia and Greece. The latter report was prepared in conjunction with the Greek Helsinki Monitor, a member of the OMCT network, and each of the other reports was drafted in consultation with national human rights organisations. The choice of reports was made on the basis of countries that have been placed under examination by the CEDAW, but also according to the situation in the country and the availability of reliable information.

The Violence Against Women Programme took an active part in the June session of the Committee on the Elimination of Discrimination

Against Women by presenting reports on Tunisia and Zambia.

### ***Submission of alternative country reports on violence against women to the 'mainstream' United Nations Human Rights Treaty Monitoring Bodies***

In 2002, OMCT submitted ten alternative country reports on violence against women to the following five "mainstream" United Nations human rights treaty monitoring bodies: two country reports on Togo and Yemen to the Human Rights Committee; two country reports on Moldova and Sudan to the Committee on the Rights of the Child; two country reports on the Czech Republic and Poland to the Committee on Economic, Social and Cultural Rights; one country report on Croatia to the Committee on the Elimination of Racial Discrimination; and three country reports on Spain, Uzbekistan and Venezuela to the Committee against Torture.

Each of these reports was drafted in close cooperation with national human rights NGOs and OMCT was particularly pleased to be able to arrange for a researcher to come from Togo in order to present information on violence against women during the October session of the Human Rights Committee. The Violence against Women programme also presented the main findings of the different reports during various briefing sessions organised by the treaty bodies.





# Women's Rights Programme

## Additional activities in 2002

At the 58th session of the Commission on Human Rights, OMCT organised a panel on violence against women in detention, in which the following experts participated: Theo van Boven, the United Nations Special Rapporteur on torture; Charlotte Lindsey, the head of the ICRC “Women in War” project; Jacqueline Moudeina, from the “Association tchadienne pour la promotion et la défense des droits de l'Homme” who was the winner of the Martin Ennals Award in 2002; and Agustín Jiménez Cuello from the “Comité de solidaridad con los Presos Politicos de Colombia”. The debate, in which the audience played an active role, covered many issues such as: the legal protection against violence for women in detention; the gender-specific causes and consequences of violence against women in detention; the redress and reparations available to women who are victims of violence; and the development of recommendations aimed at strengthening protection for women detainees. These recommendations included strategies aimed at consolidating and reinforcing the growing cooperation that has developed between the different international, regional and national mechanisms involved in the promotion and protection of human rights with respect to violence against women, including the United Nations Special Rapporteur on torture and the Special Rapporteur on violence against women, its causes and consequences.

In addition to its activities within the United Nations Commission on Human Rights, the Violence Against Women Programme intervened in the following contexts: the UN Sub-Commission on the Promotion and Protection of Human Rights; the UN Working Group on Contemporary Forms of Slavery; the International Conference on Strategies to Address ‘Crimes of Honour’ organised by the Centre for Islamic and Middle Eastern Law and Interights; the seminar on the rights of the girl organised by the “Institut International des droits de l'enfant”; the Human Dimension implementation meeting of the Organisation for Security and Cooperation in Europe; the African Commission on Human and People’s Rights; and the women’s rights seminar organised by the Euro-Mediterranean Human Rights Network.

## Women's Rights Programme

### Challenges and difficulties encountered

Although significant progress has been made in incorporating a gender-specific perspective and fundamental women's rights into the work of the regional, national and international mechanisms for the promotion and protection of human rights, it is vital to note that this integration is far from complete and that the progress made thus far in this field can easily be eroded or reversed.

One particularly striking example of the vulnerability of what has been achieved in the field of gender-specific integration appeared during the 58<sup>th</sup> Commission on Human Rights, where budgetary restrictions led to the merging of the agenda issues concerning the integration of women's fundamental rights and the gender-specific approach (point 12) with those relating to the rights of the child (point 13). The speaking time granted to the Special Rapporteurs and non-governmental organisations was also reduced at the time. The result of this decision was that gender integration and the human rights of women did not receive the necessary attention from the Commission, thereby sending a clear signal that the issue is no longer regarded as a priority.





# Economic, Social and Cultural Rights Programme

## Origins of the Programme

OMCT has been integrating economic, social and cultural rights into its approach since 1988. A study published by OMCT in 1989 for the first meeting of the United Nations Programme for Least Developed Countries (LDCs), as well as the documentation of cases by members of the SOS-Torture network has pinpointed two convergent tendencies: 1) torture and other violations under OMCT's mandate are increasingly the result of heightened social tensions that often lead to violent confrontations; and 2) the vast majority of victims of torture and other violations within OMCT's mandate are individuals belonging to the lowest strata of society.

Despite this growing awareness and a determination to reinforce its action in the field of economic, social and cultural rights, OMCT has encountered many difficulties, mainly of a financial nature, in attaining this goal. Due to a certain lack of understanding on the part of donors with respect to such an approach, OMCT had to restrict its work in the field of economic, social and cultural rights during the 1990s to occasional actions, ad hoc consultations and limited research projects. In 2000, the Executive Council decided to create a permanent programme on these questions within the International Secretariat of OMCT, despite the absence of any specific funding.

## Highlights in 2002

*The United Nations Commission on Human Rights:  
an optional protocol to the International Covenant on  
Economic, Social and Cultural Rights*

During the 58th session of the Commission, OMCT, in conjunction with other organisations working on economic, social and cultural rights, lobbied for the creation of a Working Group to examine the adoption of an optional protocol to the International Covenant on Economic, Social and Cultural Rights. The adoption of such a protocol would enable victims of economic, social and cultural rights violations, who have been unable to obtain redress at the national level, to lodge individual complaints at the international level.



# Economic, Social and Cultural Rights Programme

## Activities

### *Urgent appeals regarding “Economic, Social and Cultural rights”*

In 2002, OMCT circulated 51 appeals regarding violations of economic, social and cultural rights relevant to OMCT’s mandate. These appeals, written and disseminated in English or Spanish, dealt with 18 different countries on behalf of 1,970 individuals and 41 groups.

In this respect, cases of forced evictions and destruction of homes, often accompanied by forms of cruel, inhuman or degrading treatment, are a major problem, particularly in Greece, India, Israel, the Philippines and Yugoslavia. Development projects that have displaced populations on a wide scale in India and Pakistan are also very worrying. In these cases, the absence of adequate redress and resettlement for the affected communities has often been accompanied by violent repression, including excessive use of force, beatings and arbitrary detentions. Violations of trade union rights, the right to work and the right to strike were extremely prevalent this year. OMCT intervened in cases relating to these situations in the Democratic Republic of Congo, Colombia, Mauritania, Israel, the Republic of Korea and Zimbabwe, where breaches of these rights were often coupled with arbitrary arrests, death threats, enforced disappearances, intimidation and alle-

gations of cruel, inhuman or degrading treatment. The violent repression of demonstrations calling for improvements in the social situation, as well as waves of violence and repression triggered by conflicts surrounding the allocation of land, were reported throughout the year, particularly in Argentina, Azerbaijan, Ecuador, India, Mongolia, Pakistan, Venezuela and Nigeria. Moreover, OMCT intervened in cases of cruel, inhuman or degrading treatment related to discriminatory practices regarding the enjoyment of economic, social and cultural rights, such as the right to health, particularly in India and Israel.

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

In 2002, OMCT submitted three alternative reports to the CESCR on Benin, the Czech Republic and Georgia, as well as two reports to the CAT on Egypt and Uzbekistan.

The reports on Benin, Egypt and Uzbekistan were prepared and presented in conjunction with the following organisations: “Enfants Solidaires d’Afrique et du Monde” – ESAM (Benin); the “Egyptian Centre on Housing Rights” – ECHR (Egypt) and the “Legal Aid Society” – LAS (Uzbekistan). Representatives of these organisations



## Economic, Social and Cultural Rights Programme

travelled to Geneva to present the reports and to meet members of the Committees.

The goal of the reports presented to the CESCR is to highlight deficiencies within national legislative systems as well as other obstacles – of a political, economic or administrative nature – which hinder the enjoyment of economic, social and cultural rights. These reports particularly emphasised the failure by governments to fully integrate economic, social and cultural rights within national constitutions as well as the difficulty or impossibility of invoking these rights at the national level. These three reports also observed that the transition towards a market economy, as well as the implementation of structural adjustment programmes, were often accompanied by a regression in the enjoyment of economic, social, and cultural rights for certain sectors of the population, who are not in a position to benefit from these processes.

Consequently, these groups have often been faced with increased poverty as well as economic, social and cultural marginalisation. In this respect, the reports highlighted the fact that groups confronted with grave violations of economic, social or cultural rights tend to be more vulnerable to acts of violence, including torture and other forms of cruel, inhuman or degrading treatment.

For example, the report on the Czech Republic revealed that discrimination against the Roma community with respect to the right to work, to education and to adequate housing reinforces negative prejudices towards these communities, a situation which in turn heightens their vulnerability to acts of violence perpetrated by private individuals or by the police. In a similar way, the report on Benin showed on the one hand that violations of the right to work and to education constitute major factors that lead to the trafficking of children and, on the other, that this phenomenon primarily affects the most underprivileged groups of the country.

The reports presented to the CAT addressed the relationship between economic, social and cultural rights and the right to be free from torture and other cruel, inhuman or degrading treatment or punishment. In other words, the reports analysed how violations of economic, social and cultural rights can lead to torture and other cruel, inhuman or degrading treatment or punishment, as well as the elements that qualify certain violations of economic, social and cultural rights as forms of cruel, inhuman and degrading treatment (NB: this analysis is based on the jurisprudence of the European Court of Human Rights).

In this respect, the report on Uzbekistan deals with the issue of the particular situations of street children, children who work and migrant workers, emphasising the way in which they are vulnerable to various



## Economic, Social and Cultural Rights Programme

forms of cruel, inhuman or degrading treatment because of violations of their economic, social and cultural rights. The report also examined the ties between poverty, religious fundamentalism and state repression, illustrated by the example of the Ferghana Valley and the enforced displacement of populations. The report on Egypt asserted that the policy of violent destruction of homes and forced evictions constitutes a form of cruel, inhuman or degrading treatment because of the methods used, the way in which the demolitions and evictions are conducted, and the condition and situation of the victims after the demolitions and evictions have been completed.

### **Globalisation and Human Rights**

Over the past year, OMCT continued its work on the question of globalisation and human rights, particularly with respect to the activities of transnational corporations and other business enterprises, the implementation of trade agreements and the policies and programmes of international financial institutions (IFIs). Through its interventions in various settings, OMCT has worked towards (1) the adoption of a human rights approach to trade liberalisation, (2) the integration of human rights within the definition and implementation of the policies and programmes of international financial institutions, and (3) the development of a binding instrument to regulate the activities of

transnational corporations with respect to human rights. Within this approach, OMCT particularly insists on the primacy of human rights, the principle of non-retrogression, the responsibility of all actors, as well as access to recourse and adequate redress for any individual whose rights are violated.

*Contribution to the day of general discussion of the UN Committee on the Rights of the Child on the private sector as a service provider and its role in implementing Children's Rights*

OMCT contributed to the debate by insisting on the primacy of human rights over trade agreements and recalling the existing human rights framework for the provision of basic services such as education, water and health.<sup>3</sup>

3 - This contribution was made in collaboration with the Children's Programme.



## Economic, Social and Cultural Rights Programme

### *Contribution to the UN Committee on Economic, Social and Cultural Rights' Day of General Discussion on the draft General Comment on the right to water*

In the context of the realisation of the right to water and of the elaboration of a General Comment on this right, OMCT insisted on the tensions that can arise, in terms of States' obligations, between the implementation of the non-discrimination principle under international human rights law and its implementation under international law.

### *Contribution to the Social Forum of the Sub-Commission on the promotion and protection of human rights*

During the preparatory meeting of NGOs prior to the Social Forum, OMCT, in conjunction with "Friends of the Earth International", coordinated a workshop on the liberalisation of trade in services and human rights, with a view to making a specific contribution to the debate and the work of the Social Forum.

### *Contribution to the Sub-Commission on the promotion and protection of human rights' Working Group on the working methods and activities of transnational corporations.*

OMCT contributed to the development of Draft Norms on the responsibility of transnational corporations and other business enterprises with regard to human rights, as well as to the definition of implementation mechanisms. In this field, OMCT insisted on the need to adopt a binding instrument guaranteeing the cessation of violations, as well as the victim's right to redress and reparations.

### *The Barcelona Process and the European Union-Mexico agreement*

On the occasion of the Euro-Mediterranean Ministerial Conference and the EU-Mexico civil society forum, OMCT addressed topics related to social justice, the enjoyment of all human rights and the liberalisation of trade in services and investment policies.



## Economic, Social and Cultural Rights Programme

### Challenges and difficulties encountered

Although OMCT has adopted a strong and clear-cut position since the 1980s on the importance of economic, social and cultural rights in the prevention of torture and other violations under its mandate, the relevance of a “holistic” approach to the struggle against torture is an issue that continues to be raised. Despite the fact that the international community recognises the indivisibility and interdependence of all human rights, civil and political rights are unfortunately often perceived – both in conceptual and practical terms – as entities that are separate from economic, social and cultural rights.

Such compartmentalization is also characteristic of the relationship between international human rights law and international trade law. This separation, combined with the fact that trade sanctions and negative conditionalities have often been implemented in the name of human rights, has led to the current reticence within the World Trade Organization (WTO) to adopt a human rights approach to trade liberalisation. In this respect, OMCT has faced tremendous difficulties in attempting to foster debate on this issue within the WTO.







# Human Rights Defenders Programme

## **Purpose of the programme**

As a result of its' network structure, OMCT has been attentive, since its creation, to the issue of protecting those who provide proof of and denounce human rights violations. Without these individuals and groups, the victims' voices would not be heard. OMCT was the first organisation to launch urgent appeals specifically targeting violations of the right of association, freedom of speech and threats and harassment against individuals or groups committed to the defence and promotion of human rights. In 1996, the first report on the situation of human rights defenders, covering the period from 1992, was published. A second report followed in 1997.

In 1997, OMCT and the International Federation for Human Rights (FIDH) created the Observatory for the Protection of Human Rights Defenders, a unique effort enabling a systematic and swift response to cases of violations of defenders' rights. Thanks to the 261 members of the OMCT SOS-Torture network and the 114 Leagues affiliated with the FIDH, reliable information is received from very diverse sources. This enables the Observatory to intervene quickly when an individual's or an association's activities put them in danger. This programme also aims to promote the Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on 9 December 1998,

and the establishment and development of protection mechanisms at the national, regional and international levels.

## **Highlights**

### *United Nations Commission on Human Rights*

The annual Commission on Human Rights provides an opportunity to meet the key actors in the field of the defence of human rights, including: States, NGOs and the Special Representative of the United Nations Secretary General on human rights defenders. The programme organises meetings between defenders, the Special Representative, and other United Nations mechanisms. It also creates opportunities for defenders who attend the commission to visit OMCT's International Secretariat and to evaluate possible collaboration efforts and current strategies.



# Human Rights Defenders Programme

## *Publication of the annual report: "Human Rights Defenders on the front line"*

Each year the Observatory presents a report at the Commission entitled "Human Rights Defenders on the front line". This book, which is published in French, Spanish and English, is the only non-governmental report dedicated exclusively to the situation of defenders around the world. The report includes all the cases examined by the Observatory during the year, which are presented within regional analyses, and has become a reference work in the human rights field. The 2001 edition, which was published in 2002, presented the cases of over 400 defenders, established an overview of the target groups and raised questions about the effects of anti-terrorist measures that have been adopted since September 11<sup>th</sup>, 2001, on the work of defending and promoting human rights.

In 2002, for the first time, the Observatory's annual report was printed by a publisher and distributed to bookstores allowing it to reach a larger public and to increase awareness on the situation of human rights defenders.

## **Activities**

### *Urgent interventions*

The Observatory responds to urgent requests for protection when a human rights defender is threatened, arbitrarily detained or risks summary execution. This response is in the form of urgent interventions (urgent appeals, bilateral communications and press releases) that are sent to those addressees best able to intervene. In 2002, the Observatory initiated 164 urgent interventions. On the basis of the report presented by the Special Representative at the Commission on Human Rights, it was established that in 80% of the cases in which she had intervened the Observatory had been one of the sources, and was sometimes even the sole source, of the information. The Observatory intends to continue in its fast-alert role, while broadening its action to encompass a larger number of countries and other types of defenders.

Since January 2002, the Observatory has been disseminating a monthly appeal (in Spanish), in collaboration with Colombian NGOs and in response to the grave and deteriorating situation of defenders in Colombia. This appeal places the constant violations within a political context and allows for a more effective mobilisation of the concerned actors.



# Human Rights Defenders Programme

## *Missions*

Further to urgent intervention on individual cases, the Observatory also gathers information on the situation of defenders through fact-finding missions that are conducted in response to requests from the field. It also intervenes through observation and legal support missions, when defenders are on trial and there are fears that the guarantees of a fair trial will not be respected.

- *Africa*

Ethiopia (April 2002): Legal observation mission to the trial of Professor Mesfin Wolde Mariam and Berhanu Nega.

- *Latin America*

Brazil (June 2002): legal observation mission to the trial of those accused of having murdered lawyer and human rights activist Francisco Nogueira Carvalho.

Brazil (July 2002): Support for a fact-finding mission on the situation of human rights defenders in the state of Espirito Santo.

Colombia (August 2002): Participation in a mission led by “Avocats Sans Frontières” (ASF) on the situation of legal actors, and a seminar dedicated to lawyers.

- *Asia*

Malaysia (March 2002): Fact-finding mission on obstacles facing human rights defenders (freedom of association, freedom of assembly and the legal framework).

- *Europe*

Turkey (February 2002): legal observation of the trial of Sezgin Tanrikulu, the representative of the Human Rights Foundation in Diyarbakir’s Centre for the Treatment and Rehabilitation of Victims of Torture, who was being tried for the alleged opening of a centre without authorisation, illegal possession of documents, and gathering information on the freedom of association.

Russia (November 2002): the first part of a two-part fact-finding mission on the freedom of association took place in Moscow.

- *Maghreb-Middle East*

Algeria (May 2002): legal observation of the trial of Mr Khelil, the head of the “SOS Disappeared” committee.

Egypt (December 2002): judicial observation of the trial of Dr. Saad Edin Ibrahim, the director of the Ibn Khaldoun centre for development studies.

Tunisia (June 2002): legal observation of the trial of Zouhair Yahyaoui, the founder of the TUNeZINE website on fundamental freedoms in Tunisia.



## Human Rights Defenders Programme

Tunisia (November and December 2002): joint legal observation with the International Commission of Jurists (CIJ) and Avocats Sans Frontières (ASF) of the legal action being taken against the Tunisian bar.

### *Urgent assistance*

The programme provided material assistance to fourteen defenders in danger in the Democratic Republic of Congo, Liberia, Chad, and Rwanda, in cooperation with the OMCT Urgent Assistance to Victims of Torture Programme and other organisations active in this field.

### *Reinforcement of the international and regional protection of defenders*

The Observatory intervened with the United Nations, the Organisation of American States, the Organisation of African Unity, the Organisation for Security and Cooperation in Europe (OSCE) and the European Union to promote and reinforce international and regional mechanisms for the protection of defenders.

### • *Interamerican commission on human rights / regional consultations*

The Observatory follows developments at the Interamerican Commission, in particular the activities of the “Defenders unit” that was established in December 2001. This unit is currently preparing a report on the situation of human rights defenders in the region, based on a resolution adopted by the General Assembly of the Organisation of American States in June 2002. The Observatory contributes to the report through the systematic transmission of urgent appeals, reports, and interventions concerning the region, as well as an analysis of the obstacles encountered by defenders in the region and elsewhere in the world.

The Observatory also participates in the process of regional consultations between human rights defenders in Latin America and the Caribbean, which was initiated in Mexico in 2001. The second consultation was held in Guatemala in July 2002, following a visit by the Special Representative. These meetings provide the opportunity to discuss and decide upon strategies to improve the protection of human rights defenders in the region. Due to its large network and mobilisation capacity, the Observatory, which is a member of the organising committee, has been entrusted with the task of alerting the network of defenders about violations of defenders’ rights. This has proved particularly effective in Panama, Honduras and Ecuador. Establishing networks is considered as being an essential aspect of such protection strategies.



## Human Rights Defenders Programme

- *African Commission on Human and Peoples' Rights*

In May 2002, the Observatory accompanied the Special Representative to Pretoria where she addressed the African Commission on Human and Peoples' Rights. She encouraged the creation of a regional mechanism to protect defenders, which had been called for by numerous NGOs. In October, during the session of the Commission in the Gambia, the Observatory jointly ran a workshop on human rights defenders, where it was generally felt that a consultation process similar to that in Latin American would be very useful in the region.

- *The Organisation for Security and Cooperation in Europe*

This year the Observatory once again requested that the OSCE conduct a specific study focusing on the defenders' situation in the region. This request was due, in part, to the growing number of cases coming from Eastern Europe. The Observatory has played a pioneering role in this area and hopes to be joined by others.

### *Awareness-raising*

The Observatory publishes a monthly newsletter in three languages (French, English and Spanish), which is widely circulated and is available on the Internet. The newsletter summarizes the actions undertaken during the previous month, allowing for this information to be

presented in a simplified format, in order to foster awareness and mobilisation of addressees, particularly the media.

Mission reports are also disseminated widely and target persons with a particular interest in the region or the subject matter. In 2002, the Observatory published reports on Brazil, Guatemala, Algeria, Tunisia and Turkey.





# Human Rights Defenders Programme

## Other activities

The programme is also present at the Annual Conference of the International Labour Organization, notably at the Committee on the application of standards. This Committee examines states' implementation of ratified conventions, particularly those involving trade union freedom. It strives to work with trade union representatives and to ensure that the repression of trade union activists remains a priority in the debates.

## Challenges and difficulties encountered

The decision concerning which cases should result in interventions by the Observatory is inevitably linked to the definition of human rights defenders. This question is central for the work of the Special Representative, in order to maintain the specificity of the mandate, as well as for all other actors that are concerned by the protection of human rights defenders. The definition remains flexible in order to encompass less traditional forms of expression of civil society (such as women's organisations, environmental and citizens' groups) and is constantly evolving. The decision to intervene is therefore made on a case-by-case basis, bearing in mind that a clear distinction should be maintained between victims and defenders. This continuing analysis

provides an ongoing evaluation of the definition and the means of action that are being used by the programme.

In the new context of the fight against terrorism, the Observatory is confronted with the increased criminalization of those who legitimately defend and promote human rights. They are often accused of posing a threat to national security due to their activities and it is a challenge for us to remind states of their obligations in this field. More and more defenders are facing risks and it becomes ever more essential for us to be able to provide urgent assistance to those who come under fire for their commitment to the defence of human rights.



## OMCT's general activities in 2002

COUNTRY	URGENT APPEALS BILATERAL COMMUNICATIONS	PRESS RELEASES	INTERVENTIONS BEFORE INTERNATIONAL AND REGIONAL MECHANISMS	REPORTS TO UNITED NATIONS COMMITTEES	URGENT ASSISTANCE TO VICTIMS OF TORTURE
Albania	x				
Algeria	x	x	x		x
Argentina	x		x	x	
Australia	x	x			
Autonomous Palestine	x	x			
Azerbaijan	x		x		
Bahrain	x				
Bangladesh	x	x			
Belarus	x		x		
Bhutan					x
Bolivia	x		x		x
Brazil	x	x	x		x
Bulgaria	x				x
Burma (Myanmar)	x		x		
Burundi	x		x		
Cameroon	x		x		
Chad	x	x	x		x
Chile			x		
China	x	x	x		
Colombia	x	x	x		x
Congo (Brazzaville)	x				
Congo (Democratic Republic)	x	x	x		x
Costa Rica	x				
Croatia				x	
Cuba	x		x		
Czech Republic			x	x	
Dominican Republic	x				
Ecuador	x	x	x		
Egypt	x	x	x	x	
El Salvador					x
Ethiopia			x		x
Georgia	x		x		x
Greece	x	x	x	x	
Guatemala	x	x	x		
Guinea					x
Haiti	x		x	x	x
Honduras	x		x		
India	x		x		
Indonesia	x		x	x	
Iran	x	x			
Iraq	x		x		
Israel and the Occupied Territories	x	x	x	x	
Italy			x	x	
Ivory Coast	x				
Kazakhstan	x		x		
Kenya	x				
Korea (Republic)	x				
Kyrgyzstan	x	x	x		x
Laos			x		
Lebanon	x				x
Liberia					x
Libya	x	x	x		x
Macedonia (Republic)	x		x		
Madagascar	x				
Malaysia	x	x	x		
Mauritania	x				
Mexico	x		x		x
Moldova				x	
Mongolia	x				
Morocco	x	x			



COUNTRY	URGENT APPEALS BILATERAL COMMUNICATIONS	PRESS RELEASES	INTERVENTIONS BEFORE INTERNATIONAL AND REGIONAL MECHANISMS	REPORTS TO UNITED NATIONS COMMITTEES	URGENT ASSISTANCE TO VICTIMS OF TORTURE
Namibia					x
Nepal	x		x		
Netherlands	x				
Nicaragua	x		x		x
Nigeria	x	x		x	
Oman			x		
Pakistan	x				
Panama	x				
Paraguay	x				
Peru	x		x		x
Philippines	x		x		
Poland					
Rwanda	x		x	x	x
Saudi Arabia			x		
Sierra Leone					x
Singapore	x				
Spain	x			x	
Sri Lanka	x		x	x	
Sudan	x		x	x	x
Switzerland	x	x		x	x
Syrian Arab Republic	x		x		
Tadjikistan			x		
Tanzania	x		x		
Thailand	x				
The Russian Federation			x		
Togo				x	x
Tunisia	x	x	x	x	x
Turkey	x	x	x	x	x
Turkmenistan			x		
Uganda			x		
Ukraine			x	x	
United States of America	x				
United Kingdom			x		
Uruguay	x				
Uzbekistan	x		x	x	
Venezuela	x		x	x	
Vietnam	x		x	x	
Yougoslavia (Serbia & Montenegro)	x		x		
Yemen				x	
Zambia			x	x	x
Zimbabwe	x		x		

Statistics  
2002

Urgent  
Campaigns

Country	N° of Appeals	Bilateral Interventions	N° of Victims	General Appeals Programme		Children's Programme		Women's Programme		Defenders Programme		ESCR Programme*		Arbitrary arrests+detention		Incommunicado detention	
				N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims
Albania	2		33	2	33									1	1		
Algeria	9		10 +2gp							9	10 +2gp			3	5		
Argentina	7	3	370 +7gp	5	308 +6gp							2	62 +1gp	3	240 + 1gp	1	8
Australia		1	1gp														
Autonomous Palestine	1	2	1	1	1												
Azerbaijan	16	1	102 +4gp	9	102 +2gp							7	2gp	4	40		
Bahrain		4	1gp														
Bangladesh	8		24 +2gp	7	23 +2gp	1	1							7	7 + 1gp	1	0
Belarus	1		4 +1org							1	4 +1org			1	5		
Bolivia	3		15 +1gp	1	12 +1gp					2	3			2	14		
Brazil	5		35 +1org	4	34 +1org					1	1			1	9	1	6
Bulgaria	2		12 +1gp	2	12 +1gp									1	1		
Burundi	1		2							1	2			1	1		
Cameroon	1	1	22 +1gp	1	22 +1gp									1	14	1	22
Chad	6	2	13	4	10					2	3						
China		1	1gp														
China, People's Rep. of		1	1 +1gp	1	1 +1gp									1	1		
Colombia	55	1	650 +17gp +23org	35	470 +13gp +1org	3	6 +1gp	1	4 +1gp	12	154 +22org	4	16 +2gp	14	128 + 2gp	1	11
Congo-Brazzaville	1		1							1	1						
Congo (Dem. Rep. of )	24	9	227 +5gp +2org	10	194 +2gp +2org					12	25 +2gp	2	8 +1gp	12	49 + 1gp	4	14
Costa Rica	1		1 +1org							1	1 +1org						
Côte d'Ivoire	1		1							1	1						
Cuba		1	1gp														
Dominican Republic	2		2 +1gp	1	2	1	1gp										
Ecuador	4	1	10 +1gp + org	2	9 +1gp	1	1			1	1org			2	8	1	7
Egypt	14	1	76 +3gp +1org	9	74	1	1gp			3	2 +1gp +1org	1	1gp	6	74		
Georgia	2	1	7 +1gp +2org							2	7 +1gp +2org						
Greece	3	2	17 +2gp	2	17 +1gp							1	1gp	1	16		
Guatemala	12		26 +1gp +12org	1	2	1	4 +1gp			10	20 +12org						
Haiti		1	1gp														
Honduras	6		2 +5gp	2	1 +2gp	3	3gp			1	1			1	1 + 1gp		
India	6	6	7 +7gp			1	1					5	6 +7gp	3	1 + 2gp		
Indonesia	3		5 +1org			1	1			2	4 +1org						
Iran	8	2	178	1	170	1	3			6	5			3	109		
Iraq	1		1							1	1						
Israel/Occ. Territories	28	4	489 +15gp +5org	13	157 +2gp	5	31 +1gp	3	19 +1gp	1	1gp +5org	6	282 +10gp	6	12	3	4
Kazakhstan	2		2							2	2			1	1		
Kenya		1	1gp														
Korea, Republic of	2		8 +1gp							1	1	1	7 +1gp	1	7 + 1gp		

\* ESCR: Economic, Social and Cultural Rights

gp = human rights violations affecting a group of people

org = human right violations affecting a non-governmental organisation

OMCT's Urgent Appeals also treated cases concerning large groups of internally displaced persons, which concerns up to 80'000 persons.

Please note that the total amount of interventions by the Human rights defenders programme is 159, including 111 urgent appeals (comprising 12 monthly appeals on Colombia), 28 bilateral interventions and 20 press releases.

Ill-treatment		Torture		Forced disappearances		Death in detention		Aggression and other attacks		Extra-judicial killings		Death penalty		Threats and harassment		Refoulement and eviction		Releases			
N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims		
1	32	1	1											1	1						
1	1gp													1	1			2	4		
2	71 +1gp	2	11	1	7	1	1	3	60 +3gp	1	2			1	1						
							1	1			1	1			1	1					
2	18	4	6				1	1	2	66 +1gp	1	1			2	1 +1gp			4	9	
2	2	6	7				4	2							2	2gp			2	3	
1	4																		1	1	
2	14								2	14 +1gp					1	1			1	12	
		2	6						1	1org	1	19			1	1					
		2	6						2	6 +1gp					1	1					
1	2																		1	1	
1	1	1	1				1	1							1	1gp					
		1	2								2	2							2	8	
1	1								1	1gp							1	1			
4	112 +1gp	8	17	26	195			10	214 +2gp +8org	24	202			24	102 +12gp +11org	2	3	3	9		
														1	1						
5	105 +1gp	3	11	1	1	3	70	2	3 +1gp			1	17	6	14 +2gp			1	5		
														1	1 +1org						
2	1 +1gp	2	1 +1gp												1	1					
								1	2 +1gp												
5	64 +2gp	5	60			2	2												3	7	
								2	7 +1gp						1	1					
1	1gp	1	1						1	5					1	1					
									1	2	2	2			5	17 +3org					
									1	1gp	4	1 +3gp									
1	1	2	2						5	6 +4gp					2	5 +1gp	2	5 +1gp			
				1	1				1	3	2	2									
		2	64										2	12							
															1	1					
11	44 +7gp	7	16 +3gp			1	1	7	408 +4gp	7	169			2	1 +1gp	2	4gp	6	6		
									1	1											
															1	1gp					

Country	N° of Appeals	Bilateral Interventions	N° of Victims	General Appeals Programme		Children's Programme		Women's Programme		Defenders Programme		ESCR Programme*		Arbitrary arrests+detention		Incommunicado detention	
				N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims
Kyrgyzstan	28	2	555 +1gp+24org	21	537 +21gp	2	3			5	15 +1gp+3org			7	13	3	38
Lebanon	1	1	1	1	1												
Libya	2		5 +1gp	2	5 +1gp									1	5	1	2
Macedonia, Republic of	1	1	2 +1org							1	2 +1org						
Madagascar		1	1gp														
Malaysia	10	2	48 +2gp	9	47 +2gp	1	1							10	49 + 1gp		
Mauritania	4		4 +1gp							3	4	1	1gp	1	1		
Mexico	23		262 +2gp	12	245 +2gp	4	10			7	7			7	178	2	6
Mongolia	1		1gp									1	1gp	1	1 gp		
Morocco	5	3	14 +1gp	5	14 +1gp									3	7	1	2
Myanmar	3		1	3	1									1	1	1	1
Nepal	4		16	3	14	1	2							2	12	1	5
Netherlands		1	1gp														
Nicaragua	2		1 +1gp			1	1gp			1	1						
Nigeria	13	1	10 +2gp +1org	3	2			8	3 +1gp	1	5 +1org	1	1gp	1	2		
Pakistan	6		67 +5gp +1org	1	3					1	8 +1org	4	56 +5gp	5	30 + 2gp		
Panama	1	1	1org							1	1org						
Paraguay	5		56 +3gp	3	56 +1gp	2	2gp							1	3		
Peru	4		3 +3gp	4	3 +3gp												
Philippines	9	1	65 +2gp	4	23 +1gp	3	4					2	38 +1gp	6	20 + 1gp		
Rwanda	3		2	2	1					1	1			2	2	1	1
Singapore	2		1	2	1									1	1		
Spain	1	1	8 +1gp			1	8 +1gp										
Sri Lanka	22	1	20 +3gp	14	13 +3gp	3	4	5	3					10	10		
Sudan	36		413 +3gp	23	378 +2gp	3	7	5	21	1	7	4	1gp	15	337 + 2gp	10	45 + 1gp
Switzerland		1	1gp														
Syrian Arab Republic	2		8	1	5					1	3			2	8	1	1
Tanzania	2		3 +1org	1	1					1	2+1org			1	1		
Thailand	4	3	53	2	51	1	1	1	1								
The Russian Federation	6		10 +1org			4	9			2	1 +1org						
Tunisia	18	3	38 +4org	10	14			1	3	7	21 +4org			4	7	3	6
Turkey	1		2							1	2						
United States of America		1	1gp														
Uruguay	1		12 +1gp	1	12 +1gp											1	1gp
Uzbekistan	5	3	10			1	1	1	3	3	6			4	23		
Venezuela	8		898 +3gp	7	48 +3gp							1	850	4	10	3	7
Vietnam	1		4							1	4			1	4		
Yugoslavia, (Serbia & Montenegro)	12	3	15 +5gp	4	5 +1gp	4	10					4	4gp	2	3		
Zimbabwe	6	2	649 +1gp	2	4							4	645 +1gp	3	13		
Totals	490	78	5627 + 152gp +63org	253	3138 +77gp +4org	50	108 +12gp	25	31 +3gp	111	337 +8gp +59org	51	1970 +41gp	183	1808 + 20gp	41	186 + 2gp

\* ESCR: Economic, Social and Cultural Rights

gp = human rights violations affecting a group of people

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Ill-treatment		Torture		Forced disappearances		Death in detention		Aggression and other attacks		Extra-judicial killings		Death penalty		Threats and harassment		Refoulement and eviction		Releases		
N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	N° of Appeals	N° of Victims	
9	345 +3gp	8	24					7	165 +9gp	2	7	1	1	11	18 +9gp + 1org			8	150 + 1gp	
		1	3	1	1	1	1	1	1gp	1	1			1	+1gp			2	4	
3	35							4	11 +3gp					1	1gp			4	38	
6	75 +1gp	8	47	1	2			7	136 +4gp	1	2			13	75 +3gp			1	1	
1	1	2	5											2	6 +1gp					
3	8	3	7			1	1			1	4			1	1			1	1	
1	1gp	2	1 +1gp							1	1gp			1	1					
2	1 +2gp							4	18 +3gp	3	15	3	3	1	3			3	5	
3	1 +3gp	5	6 +2gp	1	3	1	50											1	2	
1	1							1	1					3	4 +1gp					
4	10	3	6					2	25					2	3	2	16 +1gp	5	15 + 1gp	
2	2																	1	1	
1	8 +1gp	1	8 +1gp															1	1	
4	5	17	18			4	4							5	5			3	3	
3	70	13	164	1	1					1	10	5	144	1	1			6	48	
2	8																			
		1	1															1	1	
		2	2														1	34		
1	2	1	2											2	1 +1org					
5	15	2	2	1	1	1	1	5	12 +1gp					1	3	1	1	2	2	
1	1gp					1	12													
1	1	2	2											1	3					
1	3	3	8	1	1			3	30 +1gp	2	2			7	13 +2gp			2	4	
7	9 +3gp	3	5					1	2					7	6 +3gp	3	5 +3gp	2	3	
		1	1					1	1					1	1			2	10	
104	1072 + 30gp	127	524 +8gp	35	213	23	148 +1gp	79	1198 + 43gp + 9org	60	445 +4gp	13	180	120	297 +42gp +17org	14	39 +9gp +1org	71	354 +2gp	

*Statistics for 2002*  
*Urgent Assistance to Victims of Torture*

COUNTRY	Number of cases	Number of victims
Algeria	1	4
Bhutan	1	1
Bolivia	1	Collective
Brasil	1	2
Bulgaria	1	1
Chad	2	4
Colombia	1	5
Congo (Dem. Rep. )	18	46 + Collective
Georgia	1	1
Guinea	1	1
El Salvador	1	4
Ethiopia	1	1
Haiti	1	1
Kyrgyzstan	1	2
Lebanon	1	1
Liberia	1	1
Libya	1	8
Mexico	2	3
Namibia	1	1
Nicaragua	1	1
Peru	1	1
Rwanda	1	5
Togo	1	1
Tunisia	5	8
Turkey	3	3
Sierra Leone	2	5
Sudan	2	2
Switzerland	1	Collective
Zambia	1	2
<b>Total – 28 countries</b>	<b>56 cases</b>	<b>115 victims + 3 collective cases*</b>

\* Cases of collective assistance are not taken into account within the total number of individual victims



“

*It is with great joy that I am sending you this message.  
I cannot find the right words to express the gratitude  
I feel for OMCT and for SOS-Torture.*

*I have no idea where I would be today without the social,  
legal and medical assistance of OMCT. The urgent appeals  
also made a significant contribution to my government's acceptance  
of my request to receive treatment outside of prison.  
I had my appendix removed, as you know, on 24 September 2002,  
and I left the clinic on 29 October 2002.*

*The actions undertaken by OMCT are extremely meaningful around  
the world. You are the first international human rights defence  
organisation that provides significant social, legal and medical assistance  
to torture victims around the world.*

”

Democratic Republic of Congo, 2002



## Publications in 2002

**“Hope Betrayed. A Report on Impunity and State-Sponsored Violence in Nigeria”**, August 2002, 200 pp. (in English only).

**“Human Rights Defenders on the Front Line”**, 2001 Annual Report of the Observatory for the Protection of Human Rights Defenders. Published by Mango Document, February 2002, 282 pp. (also available in French and Spanish).

**“Violence against women: 10 reports, year 2002”**, 420 pp. (English version only), to be published in 2003.

**“Children, torture and other forms of violence”**, final report of the OMCT International Conference in Tampere, 204 pp (also available in French and Spanish).

### Women's Rights

**Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by Greece**, 72 pp. (in English only)

**Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by Sri Lanka**, 52 pp. (in English only)

**Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by Tunisia**, 48 pp. (in English only)

**Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by Zambia**, 48 pp. (in English only)

### Children's Rights

**Rights of the Child in Ethiopia**, 60 pp. (also available in French)

**Rights of the Child in Egypt**, 48 pp. (also available in French and Spanish)

**Rights of the Child in Guatemala**, 48 pp. (also available in Spanish, to be published in French in 2003)





## Publications in 2002

**Rights of the Child in RDC**, 56 pp. (also available in French and Spanish)

**Rights of the Child in Turkey**, 100 pp. (also available in French)

**Rights of the Child in Paraguay**, 60 pp. (French version to be published in 2003)

**Rights of the Child in the Cameroon**, 71 pp. (also available in French and Spanish)

**Rights of the Child in Kenya**, 56 pp. (to be published in French in 2003)

**Rights of the Child in Bahrain**, 87 pp. (to be published in French in 2003)

**Rights of the Child in Switzerland**, 55 pp. (also available in French)

**Rights of the Child in Spain**, available in English and Spanish, (French version to be published in 2003??)

**Rights of the Child in Tunisia**, 52 pp. (French version to be published in 2003)

**Rights of the Child in Argentina**, 60 pp. (also available in Spanish)

**Rights of the Child in Ukraine**, 68 pp. (also available in English)

**Rights of the Child in Sudan**, 72 pp. (available in English only)

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

**“Tunisie, le combat d'un homme pour l'indépendance de la Justice : l'affaire Yahyaoui”**, with Avocats sans Frontières, May 2002, 19 pp. (available in French only)

**“Algérie, Instrumentalisation de la Justice: les victimes et leurs défenseurs sur le banc des accusés”**, July 2002, 14 pp. (available in French only)

**“Turkey: legal harassment of human rights defenders”**, December 2002, 11 pp. (available in English and French).



## Publications in 2002

**“Brazil: The Human Rights Crisis in Espírito Santo: threats and violence against human rights defenders”**, July 2002, with the Global Justice Center, 67 pp. (available exclusively in English and Portuguese).

### **Economic, social and cultural rights** (in English only)

**“Human Rights as an Essential Element for Guaranteeing the Eradication of Poverty and a Fully Inclusive and Equitable Global System: Implications for the International Conference on Financing for Development”**, January 2002, 8 pp.

**“Uzbekistan: Violence, Repression and Violation of Economic, Social and Cultural Rights”**, April 2002, 33 pp.

**“Economic, Social and Cultural Rights in Benin”**, April 2002, with ESAM, 29 pp.

**“The Human Rights Dimension of the Barcelona Process: The Fundamental Prerequisite for a Sustainable Peace, Security and an Area of Prosperity in the Euro-Mediterranean Region”**, April 2002, 11 pp.

**“Privatisation of Basic Services, Public Order and Law Enforcement within the Context of the Rights of the Child”**, September 2002, 16 pp.

**“The Policy of Forced Evictions and House demolitions in Egypt: A Form of Cruel, Inhuman or Degrading Treatment”**, with ECHR, November 2002, 13 pp.

**“Economic, Social and Cultural Rights in Georgia”**, November 2002, 24 pp.

**“The Realisation of Human Rights and the EU-Mexico Agreement: Challenges, Implications and Recommendations”**, November 2002, 12 pp.

**“The Realisation of the Right to Water and the Liberalisation of Trade in Services: Challenges, Implications for a General Comment and Recommendations”**, November 2002, 10 pp.



## The Executive Council

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**President:**

- Elisabeth Reusse-Decrey

**Vice-presidents:**

- Olivier Mach
- Denis von der Weid

**Treasurer:**

- José Domingo Dougan Beaca

**Members :**

- Dan Cunniah
- Frej Fenniche
- Alphonse MacDonald
- Christine Sayegh
- Katherine Shiraishi



# The Assembly of Delegates

## Representatives by continent

### **Africa**

- Madeleine Afite, *Cameroon*
- Innocent Chukwuma, *Nigeria*
- Aminata Dieye, *Senegal*
- Osman Hummida, *Sudan*
- Guillaume Ngefa, *Democratic Republic of Congo*

### **Latin America**

- Ernesto Alayza Mujica, *Peru*
- Helio Bicudo, *Brazil*
- Alberto Leon Gomez, *Colombia*
- Alicia Perez Duarte, *Mexico*

### **North America**

- Alvin Bronstein, *United States*

### **Asia**

- Joseph Gathia, *India*
- Sanjeewa Liyanage, *China (Hong Kong)*
- Ravi Nair, *India*
- Elisabeth P. Protacio, *Philippines*
- Khalida Salimi, *Pakistan*

### **Europe**

- Panayote Elias Dimitras, *Greece*
- Nazmi Gür, *Turkey*
- Hélène Jaffe, *France*
- Tinatin Khidasheli, *Georgia*
- Frauke Seidensticker, *Germany*

### **Middle East and Maghreb**

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



## The Events Committee

- Carole Argand
- Monique Aubertinaz
- Hélène Ballivet-Durand
- Anne Bonhôte-Hirsch
- Inès Brunshwig-Mirabaud
- Brigitte Lescure
- France Majoie Le Lous
- Béatrice Natural
- Florence Notter
- Fabienne Ormond
- Brigitte Rivoire

## The Consultative Council

- Susanna Agnelli
- Francis Blanchard
- Edouard Brunner
- Bernard Comby
- Hans Danelius
- Leandro Despouy
- Alexis Dipanda Mouelle
- Toine van Dongen
- Asbjorn Eide
- Kurt Furgler
- Konrad Ginther
- Fritz Honegger
- Peter Jankovitsch
- Louis Joinet
- Lea Levin
- Alice Marangopoulos
- Jacques Moreillon
- Franz Muheim
- Kinhide Mushakoji
- Chandra Muzaffar
- Adolfo Pérez Esquivel
- Pierre Pictet
- Bent Sorensen
- Rodolfo Stavenhagen
- Desmond Tutu
- Liliane Uchtenhagen
- Simone Veil
- Jacques Vernet
- Joseph Voyame
- Amos Wako
- Laurie Wisberg



# The International Secretariat

## In Geneva

**Director:**

- Eric Sottas

**Associate director:**

- Anne-Laurence Lacroix  
*Victims Programme*

**Programme managers:**

- Carin Benninger-Budel  
*Women's Programme*
- Nathalie Mivelaz  
*Economic, Social and Cultural Rights Programme*
- Roberta Cecchetti  
*Children's Programme*
- Michael Anthony  
*Urgent Campaigns Programme*
- Laurence Cuny  
*Human Rights Defenders Programme*
- Isabel Ricupero  
*Special Procedures Programme*

**Project officers:**

- Clemencia Devia Suarez  
*Urgent Campaigns Programme*
- Sylvain Vité  
*Children's Programme*
- Joanna Bourke  
*Women's Programme*

**Chargées de mission:**

- Hélène Durand-Ballivet
- Carole Argand

**Administration:**

- Annik Malburet
- Kifle Araia

**Librarian:**

- Pierre-Maurice Rolli

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*Bank account: Banque LODH & Cie n°. 88515, Geneva, Switzerland*

*Bank account: Union de Banques Suisses n°. 279.C8106675.0, Geneva, Switzerland*



**MARCEL LAUPER - EXPERT COMPTABLE  - GENÈVE**

**AUDITOR'S REPORT**  
To the Executive Council of

**THE WORLD ORGANISATION AGAINST TORTURE - SOS-TORTURE**

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In accordance with the mandate with which we have been entrusted by your General Assembly, we have audited the annual accounts for 2002 up to 31 December 2002.

We have noted that the balance sheet and the statement of income and expenditure exactly concur with the books that have been accurately kept.

The financial year ended with an excess of income amounting to CHF 31'364.25 which annuls the deficit resulting from 2001.

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

The auditors:

  
Marcel LAUPER

Geneva, 3 April 2003

ANNEX I : Balance sheet as at 31 December 2002

ANNEX II: Statement of income and expenditure in 2002



## Annex 1

### BALANCE SHEET AS AT 31 DECEMBER 2002

<b>ASSETS</b>		CHF
Cash funds		5'897.63
Postal cheque account		31'571.79
Banks		1'073'163.51
		<u>1'110'632.93</u>
Contributions		133'682.78
Costs paid in advance		56'049.80
		<u>1'300'365.51</u>
 <b><u>LIABILITIES</u></b>		
Creditors		277'818.85
Other liabilities		330'171.50
		<u>607'990.35</u>
Provision for specific activities		265'000.00
Deffered income		424'633.61
		<u>1'297'623.96</u>
 <b><u>NET BALANCE</u></b>		
Surplus income 2002	CHF 31'364.25	
Balance brought forward	CHF (28'622.70)	(2'741.55)
		=====





## Annex 2

### STATEMENT OF INCOME AND EXPENDITURE AS AT 31 DECEMBER 2002 - YEAR 2002

<b>INCOME</b>	2'770'243.65
Federal grants	150'000.00
Grants from the State of Geneva	79'950.00
Cantonal grants	14'000.00
Grants from the City of Geneva	18'000.00
Grants from swiss communes and towns	21'450.00
Grants from Migros	5'000.00
Grants from European governments	209'928.80
Grants from foundations	36'545.00
Network membership fees	12'058.77
Donations from "Club des Cent"	150'950.00
Private donations	75'705.63
Sale of bulletins, fees, special events	105'521.69
Grants from torture victims programme	177'396.74
Grants for children's programme	773'303.27
Grants for women's programme	282'843.52
Grants for human rights defenders' programme	111'234.32
Grants for democratisation	9'504.92
Grants for urgent campaigns	414'039.80
Grants for training programme	125'811.19
<b>EXPENDITURE</b>	-2'776'726.35
Extensions/ Development of the network	115'228.03
Support days	15'399.34
Assistance to victims	288'943.56
Children's programme	521'709.86
Women's programme	374'358.45
Human rights defenders' programme	151'050.67
Democratisation programme	173'371.96
Urgent campaigns	582'411.94
Training programme	305'736.03
Racism programme	30'651.75
Promotion	92'761.60
Special and unforeseen events	125'103.16
<b>RESULTS BEFORE CREDIT INTEREST AND OTHER INCOME</b>	-6'482.70
<b>CREDIT INTEREST AND OTHER INCOME</b>	37'846.95
Credit interest	36'353.90
Other income	1'493.05
<b>SURPLUS INCOME</b>	31'364.25







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