



association for
the prevention
of torture



INTERNATIONAL
OMBUDSMAN
INSTITUTE

MEMORANDUM OF UNDERSTANDING
between the
Association for the Prevention of Torture
and the
International Ombudsman Institute

The Association for the Prevention of Torture (hereinafter the APT) and the International Ombudsman Institute (hereinafter the IOI), collectively referred to as “the Parties”,

Guided by the will to continue their strong and cooperative relationship, with a view to sharing information, knowledge and best practices in the area of ombudsman institutions and torture prevention;

Recognizing that they share similar objectives to establish, strengthen, and improve coherence among independent oversight mechanisms and thereby assist in the prevention of torture and ill-treatment within the scope of their particular mandates;

Noting that there is a need for knowledge-sharing, expertise, and capacity building among IOI member institutions in the area of torture prevention and that the Parties have expertise that can be shared;

Have agreed on the following:

ARTICLE 1
Scope and Objective

The objective of this Memorandum of Understanding (hereinafter referred to as “this Memorandum”) is to provide a framework of cooperation between the Parties, within which they can develop and implement activities and to set out their intended role and participation.

Each Party shall implement this Memorandum within the scope of its mandate and in accordance with its own policy framework and rules and procedures. There is no intention under this Memorandum to modify or create any obligations contrary to the institutional and policy framework of either Party or

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the scope of either's respective mandate. In the event there is an inconsistency between this Memorandum and the relevant framework, the latter shall govern.

The Parties shall respect each other's sphere of competence and policy framework as well as the regulations, rules and procedures applicable to each Party.

ARTICLE 2

Forms of Cooperation

Within the framework of this Memorandum, the Parties will cooperate to support and promote their common objectives in good faith and on the basis of equality. The forms of cooperation may include support and/or joint activities in the areas of:

a) Conferences and study visits

The APT and the IOI shall invite each other to participate in conferences that they organise in areas of mutual interest, in particular the field of ombudsman institutions and torture prevention.

The APT and the IOI may assist in the facilitation of study visits and other activities aimed at improving the torture prevention capacity of IOI member institutions.

b) Training activities

The APT and the IOI may assist in the facilitation of training workshops and other activities aimed at improving the torture prevention capacity of IOI member institutions.

Participation of APT experts and IOI members at relevant training workshops organised by its counterpart shall be encouraged whenever the project budget allows for it.

c) Exchange of information and shared learning

The APT and IOI may exchange information on important decisions and activities in fields of mutual interest. In doing so, exchange of information, contact and consultation between the APT and the IOI and its members shall be encouraged and promoted by each institution.

The APT and the IOI and its members are encouraged to share information such as (and not limited to): legislation, reports, recommendations, and other resources and documents. The APT and the IOI agree to assist each other, to the greatest extent possible, to consolidate the role of each institution



in promoting the prevention of torture through the establishment and strengthening of independent oversight institutions throughout the world.

ARTICLE 3

Cooperation Projects and Activities

In order to move forward the forms of cooperation mentioned above, the APT and the IOI have identified projects and activities, which might be realized in the framework of this Memorandum. Examples of such projects and activities are listed in the Annex of this Memorandum. The APT and the IOI will consider them when opportunities arise.

ARTICLE 4

Terms and conditions

The terms and conditions of the organisation of specific activities will be decided upon by the parties in each case. In order to put this agreement into effect, the APT and the IOI commit themselves to keeping up regular contacts and engaging in mutual consultations.

ARTICLE 5

Entry into force, amendment, denunciation

This agreement shall enter into force on the date it is signed by both parties. It shall remain valid for five years and be subject to renewal on the agreement of both parties.

Amendments and complements to this agreement may be proposed at the initiative of one of the parties. The amendments shall enter into force when they have been approved by both parties.

This agreement may be denounced by one of the parties by giving written notice to the other. The agreement shall be terminated three months from the date of such notice.

This agreement was signed in The Hague on 14 May 2024 in two sets and three versions, namely: English, French and Spanish. In case of inconsistency between the language versions, the English version shall be considered as the original and will govern and prevail.

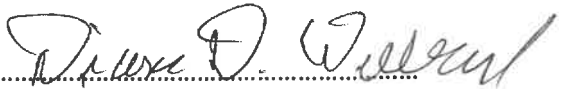
For the APT:



Barbara Bernath

APT Secretary General

For the IOI:



Diane Welborn

IOI President

ANNEX: Article 3 – Cooperation Projects and Activities

Possible projects and activities, which may be realized in the framework of this Memorandum:

- Offer training on torture prevention to IOI member institutions and seek to provide such training alternately in Vienna and in the IOI Regions, as well as in one of the three IOI languages (English, French, Spanish). Training content may vary, depending on the needs of the members who hold a mandate as National Preventive Mechanism (NPM). Participation may include IOI members who are not the NPM, in case the training content also relates to their work as Ombudsman.
- Provide an opportunity for the APT to participate at IOI World Conference and to reach out to Ombudsman institutions with NPM mandate in an informal setting with a view to exchange experiences, challenges, and best practises.
- Explore opportunities for cooperation in the development and dissemination of content on APT's e-learning platform ("Torture Prevention Learning Village"), including elements and material derived from the experiences made during in-person training activities, as well as other specific projects of cooperation.