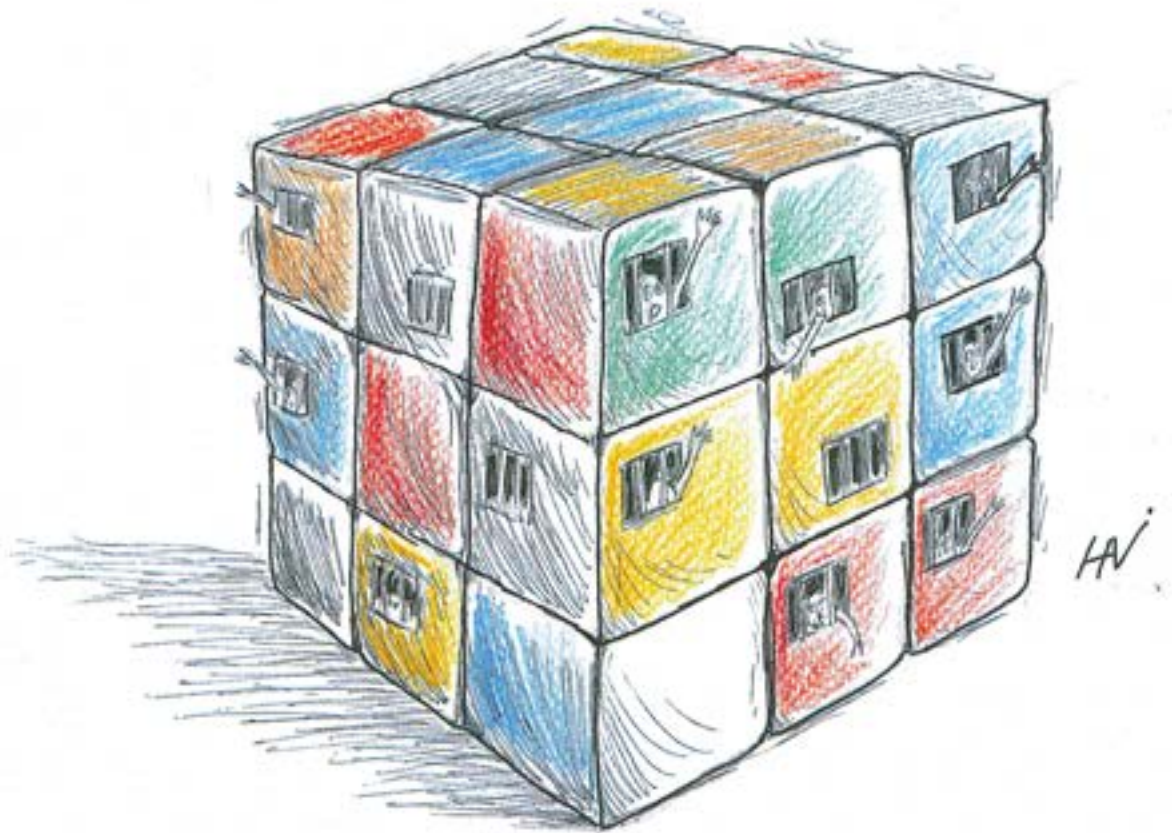




association for
the prevention
of torture



Annual Report 2017
40 Years of Torture Prevention

“

Knowing that the hours and days following the arrest are the most dangerous for the detainee, we can only wish for [...] the creation of a system that allows immediate and even preventive action: the existence of a permanent control by a commission authorised to visit, at any time and without prior complaint, places of detention.”



Jean-Jacques Gautier, 1976
Founder of the APT (1912–1986)

”

40 Years of Torture Prevention

1976

The “Gautier Proposal” for a system of visits to places of detention

1977

Creation of the Swiss Committee against Torture (CSCT)

1984

Adoption of the UN Convention against Torture

1987

Adoption of the European Convention for the Prevention of Torture

1992

CSCT becomes the Association for the Prevention of Torture (APT)

2002

Adoption of the UN Optional Protocol to the UN Convention against Torture (OPCAT) and the Robben Island Guidelines for the Prohibition and Prevention of Torture in Africa

2004

APT publishes the first Practical Guide on Monitoring Places of Detention

2006

OPCAT enters into force

2011

APT convenes the *OPCAT Global Forum*, bringing together over 300 torture prevention actors from 90 countries

2014

APT launches a series of symposiums for National Preventive Mechanisms and leading experts to exchange knowledge and practices on vulnerabilities in detention

2015

APT launches the *Detention Focus*, an online database that provides human rights analysis and standards on prison

2016

“Does Torture Prevention Work?” Large-scale empirical research study commissioned by APT confirms the effectiveness of torture prevention measures

2017

100 States have ratified or signed the OPCAT

Accompanying our partners

on the ground

Protecting the rights of all persons deprived of liberty

Mobilising States and civil society in favour of torture prevention

Word from the President

Since Jean-Jacques Gautier’s original idea of a system of visits to places of detention, prevention has progressed. The transparency of places of deprivation of liberty has increased and the need for safeguards to prevent violations is now recognised. The timeline below and this annual report show APT’s driving role in these developments.

Behind these advances are people: Jean-Jacques Gautier, of course, but also his ally, Niall McDermott of the International Commission of Jurists, who at a very early stage proposed applying Gautier’s idea in the form of an optional protocol to the Convention against Torture (OPCAT). This project was further developed by APT’s Secretaries General, François de Vargas, Claudine Haenni and Mark Thomson, with the support of Board members and staff, who now provide advice and assistance to national partners for implementation of the OPCAT and other torture prevention initiatives.

Today, the OPCAT is not a simple treaty but a daily reality in more than 60 countries, thanks to national prevention mechanisms. Women and men are present in places of confinement, closely examining conditions of detention and

listening to persons deprived of their liberty as well as to the staff, questioning practices, analysing situations and risks of torture, and recommending changes, reforms, and improvements.

Thanks to their tireless work, detainees, persons interned in psychiatric institutions, migrants, and children in social institutions, are no longer invisible, are no longer forgotten. Respect for their rights and dignity is strengthened, and the risks of torture or other ill-treatment are thus diminished.

However, in today’s world, there remain numerous challenges to protecting the rights and dignity of all persons deprived of their liberty. More than ever, joint efforts are required to overcome these obstacles and we need your support to continue this journey.

Martine Brunschwig Graf, President



Secretary General's picks

“ Dear Mark, The work that you do every day is priceless. Its impact at both the international and national levels is greater than the sum of its parts, and helps set the foundation for the equitable treatment, grounded in dignity and justice, of all persons in Chile and around the world. ”

Michelle Bachelet, Chile's President, 18 March 2018

Mark Thomson meets Michelle Bachelet, May 2017. © Presidency of Chile

DIGNITY AND JUSTICE MUST PREVAIL

This Annual Report gives you an insight of our impact together with our many partners in prevention. For the first time, we are making available an online version if you would like more details. You can also check on how we are doing in implementing our Agenda for Change and four-year Strategic Plan, and discover the coherence of our work in 2017 with everything that has come before it.

For example the conclusions of the independent research we commissioned a few years ago, has influenced us in paying more attention to ensuring that detention safeguards are in place and their functioning supervised by public oversight bodies. This is therefore a good example of how we mobilise States, experts and civil society around a reform agenda that can lead to real improvements.

Bringing about change in detention policy and practice is rarely easy and almost all our partners need our help to revise laws, train them on detention monitoring and accompany them through specific national reforms that can take several years. For example, see our work with emerging national preventive mechanisms in the North Africa region.

However, much can be done now to better protect the dignity and rights of all persons deprived off their liberty, especially those who are most vulnerable to abuse and discrimination. For example custody hearings in Brazil have led to a reduction in arrested persons being sent to pre-trial detention and our advice to judges on this procedure contributes to deterring police abuses.

[Handwritten signature]

Mark Thomson, Secretary General

- MOBILISE** 6-7 Mobilising for Torture Prevention
- ACCOMPANY** 8-9 Accompanying our Partners on the Ground
- 10-11** Torture Prevention in the World
- PROTECT** 12-13 Protecting the Rights of all Persons Deprived of Liberty
- APT Turns 40!** 14-15 From a Local Initiative to a Global Reality
- Financial information** 16-17 Higher Demands but Lower Income
- APT in 2017** 18-19 APT Staff & Board and 2017 Global Outreach

“ Each victim of torture is one victim too many. At a time when State leaders are challenging the absolute prohibition of torture, the best way to combat torture and achieve a torture-free world is to work together to ensure its prevention everywhere. ”

Nils Melzer, UN Special Rapporteur on Torture, together with his predecessors – Juan Méndez, Manfred Nowak, and Theo Van Boven – on the International Day in Support of Victims of Torture, 26 June 2017

Still image from animation video
“Changing Police Mindsets:
From Coercion to Justice” © APT-ATI



MOBILISING TOWARDS THE IMPLEMENTATION OF SAFEGUARDS DURING POLICE CUSTODY

Implementing safeguards in the first hours of police custody, such as immediate access to a lawyer and notification of a relative about the arrest, has the highest impact in reducing the risks of torture, as shown by the research we commissioned, “Does Torture Prevention Work?”. As a result, we mobilised States and other national actors around the importance of their effective implementation.

To that end, we facilitated exchanges on key safeguards among authorities, NGOs, National Preventive Mechanisms (NPMs) and law enforcement officials. Good implementation practices were discussed during an international expert symposium we convened in Geneva and a roundtable with senior police officers we jointly organised with the International Committee of the Red Cross.

We also mobilised the international community, in close collaboration with the former UN Special Rapporteur on Torture, Juan Méndez, to support the development of standards on non-coercive interviews and related safeguards. Following a joint strategy meeting in Geneva, we fostered a broad coalition of experts, law enforcement practitioners and government officials, and a group of experts has now been tasked with drafting the standards. We also bolstered the process with the production of an advocacy tool in the form of an animation, “Changing Police Mindsets: From Coercion to Justice.”

OTHER ACHIEVEMENTS

- **Australia:** Ratified OPCAT in December. We contributed through in-country meetings with experts and a position paper on OPCAT in federal States.
- **Indonesia:** Committed to ratify OPCAT following both an awareness raising session for Parliamentarians we co-organised with five domestic institutions, and these institutions’ joint advocacy during the study visit we facilitated for them in Geneva.
- **Mexico:** Adopted a new anti-torture law, which gives the NPM mandate to the national human rights institution and integrates almost all of our recommendations.



26 MEDIA IN 14 COUNTRIES

THE UN SPECIAL RAPPORTEURS ON TORTURE’S JOINT APPEAL ON PREVENTION ON 26 JUNE 2017 WAS WIDELY PICKED UP BY THE MEDIA ACROSS ALL REGIONS OF THE WORLD



1,500 VIEWS IN 14 LANGUAGES

IN 2017 OUR ANIMATION VIDEO ON THE OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE (OPCAT) CONTINUED TO BE USED AROUND THE WORLD TO MOBILISE AROUND THE CONCEPT OF TORTURE PREVENTION



235 PRISON STAFF

TRAINED IN 2017 ON TORTURE PREVENTION AND THE OPCAT IN PANAMA AND MOROCCO

MOBILISING FOR 40 YEARS

Jean-Jacques Gautier’s vision for a system of visits to places of detention became a reality with the adoption in 1987 of the European Convention for the Prevention of Torture. The adoption of the Optional Protocol to the UN Convention (OPCAT) against Torture in 2002 marked the creation of a **global preventive system**. Its main innovation consists in mandating for the establishment of National Preventive Mechanisms that conduct regular visits to all places of detention.

Accompanying our Partners on the Ground

“Prevention is effective. If the OPCAT has been ratified by 83 States in just 10 years, it is not merely for reasons of convenience but of conviction. So the challenge for the years to come will be that of a tireless education on the ground.”

Catherine Paulet, psychiatrist, member of the UN Subcommittee on Prevention of Torture, on the occasion of APT's 40th anniversary

Cell block
© Bob Jagendorf

ACCOMPANYING EMERGING NPMs IN NORTH AFRICA

We provided support to the first two National Preventive Mechanisms (NPMs) in the region, in Tunisia and Mauritania, throughout the year. As both faced the challenge of establishing a new institution implementing a preventive mandate – a new approach in the region – we worked on strengthening their capacities and tailored specific modules to respond effectively to their respective institutional and operational needs.

Our training sessions in Tunisia and Mauritania included visits to places of deprivation of liberty. We also facilitated for them study visits to Switzerland and detention visits with the French and UK NPMs to help them learn from good practices in conducting preventive visits and become familiar with effective modalities of work and organisational structures. Additionally, we assisted them in the preparation for and follow-up on the visits of the UN Subcommittee on Prevention of Torture.

As torture prevention can only be achieved within a framework of cooperation and dialogue, we continued to engage regularly with relevant governmental institutions and civil society organisations, and encouraged NPMs to implement their mandate in harmony with other existing governmental and non-governmental actors.

OTHER ACHIEVEMENTS

- **Georgia:** NPM developed internal guidelines, including on follow-up to its recommendations, based on three workshops and advice we provided.
- **Paraguay:** NPM implemented new “change perspective” in 2018 operational plan following one of our workshops.
- **Rwanda:** Cabinet adopted Draft Law on future NPM in January 2018, thanks to our continuous support since ratification of the Optional Protocol to the Convention against Torture in 2015, including advice and technical assistance in drafting the bill amending the national human rights institution's legal basis to integrate the NPM mandate.



60 NPMs
108 DAYS

TOTAL OF APT
FACE-TO-FACE ENGAGEMENT
WITH NATIONAL PREVENTIVE
MECHANISMS (NPMs) IN 2017



185 NPM MEMBERS
TRAINED IN 2017

ACCOMPANYING FOR 40 YEARS

In 2003, we created a “Visit Programme” focusing on detention monitoring to support independent monitoring bodies. We published the first practical guide on monitoring places of detention (in 2004), now available in 15 languages. Since then, we have published more than 50 practical tools and developed training modules for visits to places of detention that include practical exercises.



Europe and Central Asia

With the highest number of functioning NPMs, experiences in the region are diverse, with some NPMs celebrating their 10th anniversary (France, Georgia) and others just beginning their work (Italy). Our bilateral cooperation with Georgia, Kyrgyzstan and Romania contributed to enhanced monitoring capacities and fostered change on the ground, while peer-to-peer exchanges consolidated the emergence of communities of practitioners. Our active involvement in regional expert meetings and consultations influenced the development of policies and tools, such as an OSCE guide on monitoring detention in the context of countering violent extremism and radicalisation, and a UNODC checklist to assess compliance with the "Nelson Mandela Rules."

Americas

Significant legal and institutional changes were achieved in Latin America, to which we greatly contributed. Mexico and Panama adopted anti-torture and NPM legislation; Chile's NPM bill is being considered by Parliament; and Argentina's NPM was established. Thanks to our support, synergies amongst Ombudsman's Offices designated as NPMs have also increased, enhancing their effectiveness as oversight institutions. NPMs in the region are now not only paying greater attention to key detention safeguards in the first hours of custody, but also proposing recommendations to bridge the gap between law and practice, commonly identified as a principal challenge in the region.

Middle East and North Africa

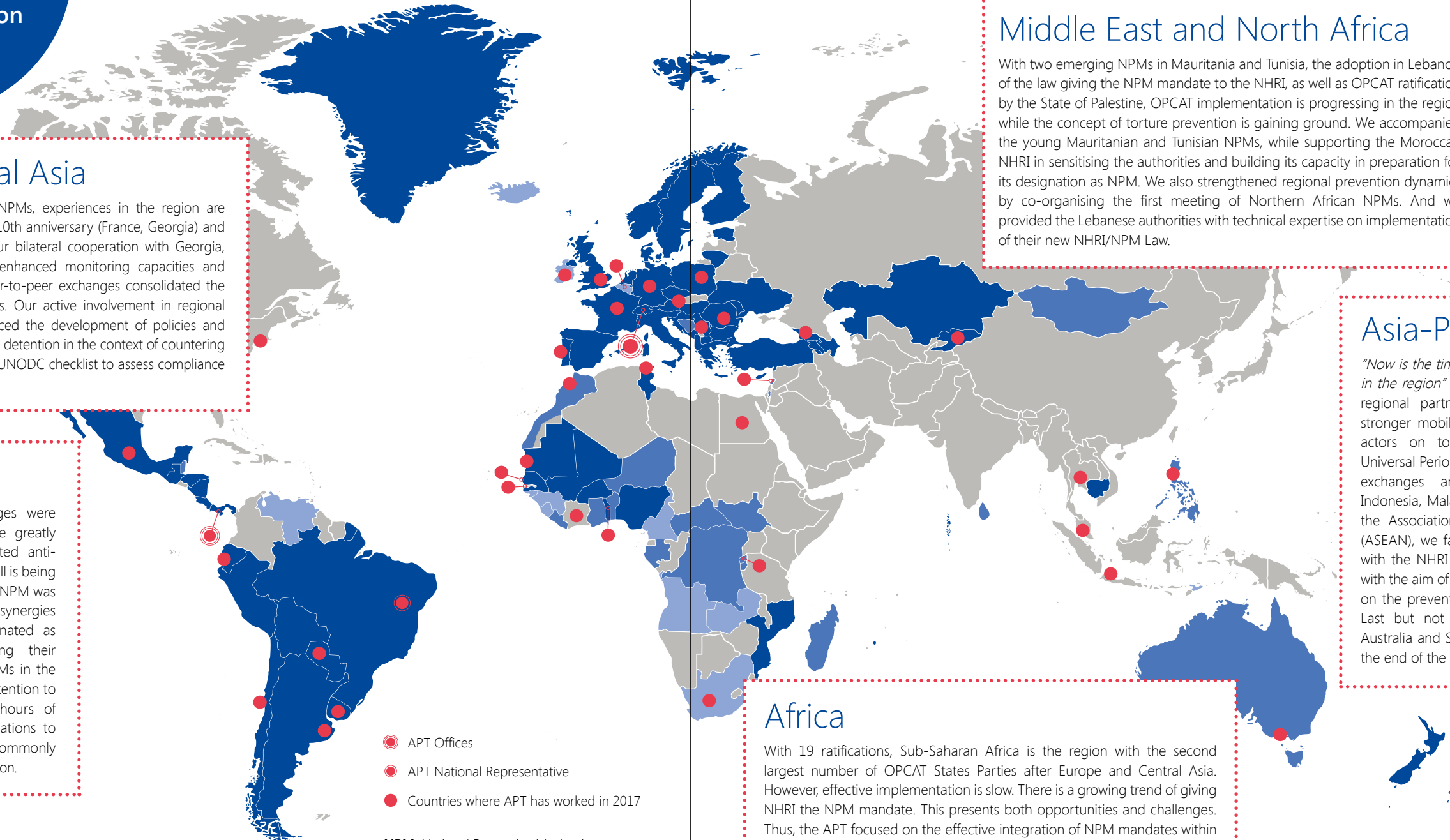
With two emerging NPMs in Mauritania and Tunisia, the adoption in Lebanon of the law giving the NPM mandate to the NHRI, as well as OPCAT ratification by the State of Palestine, OPCAT implementation is progressing in the region while the concept of torture prevention is gaining ground. We accompanied the young Mauritanian and Tunisian NPMs, while supporting the Moroccan NHRI in sensitising the authorities and building its capacity in preparation for its designation as NPM. We also strengthened regional prevention dynamics by co-organising the first meeting of Northern African NPMs. And we provided the Lebanese authorities with technical expertise on implementation of their new NHRI/NPM Law.

Asia-Pacific

"Now is the time to increase torture prevention in the region" was the sentiment expressed by regional partners. Thus, we contributed to stronger mobilisation of national and regional actors on torture prevention through the Universal Periodic Review process, peer-to-peer exchanges and bilateral engagement in Indonesia, Malaysia and the Philippines. Within the Association of South East Asian Nations (ASEAN), we facilitated constructive exchanges with the NHRI Forum and civil society groups, with the aim of developing a regional consensus on the prevention of torture and ill-treatment. Last but not least, two additional States – Australia and Sri Lanka – ratified the OPCAT at the end of the year.

Africa

With 19 ratifications, Sub-Saharan Africa is the region with the second largest number of OPCAT States Parties after Europe and Central Asia. However, effective implementation is slow. There is a growing trend of giving NHRI the NPM mandate. This presents both opportunities and challenges. Thus, the APT focused on the effective integration of NPM mandates within NHRI functions. Good practices and innovative solutions to common challenges were also discussed during a regional meeting of African NHRIs designated as NPMs. In Rwanda, we supported the legislative process designating the NHRI as NPM.



- APT Offices
- APT National Representative
- Countries where APT has worked in 2017

NPM: National Preventive Mechanism
NHRI: National Human Rights Institution
OPCAT: Optional Protocol to the UN Convention against Torture

Status of implementation of the OPCAT

- States parties to the OPCAT who have designated their NPM
- States parties to the OPCAT who have yet to designate their NPM
- States signatories to the OPCAT



“ We’re dealing with liberty when we are at our most vulnerable and most distressed. Therefore we need to be listened to and treated with dignity, and have our voice respected. ”

Graham Morgan, Mental Welfare Commission for Scotland, expert with lived experience, Video from Jean-Jacques Gautier Symposium on monitoring psychiatric institutions

Launch of the custody hearings project at the State Court of Justice of Espírito Santo, May 2015. © Gil Ferreira, National Council of Justice

STRENGTHENING THE PREVENTIVE IMPACT OF CUSTODY HEARINGS IN BRAZIL

We intensified efforts to increase the impact of custody hearings as a means to prevent torture and other ill-treatment in Brazil. This innovative, recently introduced, measure ensures that an arrested person is brought before a judge within 24 hours. It provides a unique opportunity for judges, prosecutors, and public defenders to check police conduct, detect abuses, and initiate investigations, with a view to preventing future abuses.

However, custody hearings can only have a significant and lasting impact if all criminal justice actors take a clear stand on the absolute prohibition of torture and other ill-treatment and if hearings are conducted adequately. To this end, we expanded our partnership with the judiciary – leading to the signing of an MoU with the National Council of Justice – and began discussions with the Public Prosecutor’s Office to raise awareness about their role as torture prevention agents. We also delivered training on practical procedures and methodology for custody hearings, including on how to ensure that safeguards are implemented, and used this opportunity to inquire into the conditions of detention and treatment of persons held in custody.

OTHER ACHIEVEMENTS

- **Migration:** The prison orientation of the Council of Europe’s draft rules for the conditions of administrative detention of migrants has been called into question following consultations with civil society, including the APT.
- **Treatment of prisoners:** 18 National Preventive Mechanisms from all regions are better equipped to monitor implementation of the “Nelson Mandela Rules,” thanks to a Summer School jointly organised with Penal Reform International and Bristol University.



OUR ONLINE DATABASE ON HUMAN RIGHTS ANALYSIS AND STANDARDS ON PRISON WAS USED BY:

7,000+ USERS
FROM 166 COUNTRIES



800 DOWNLOADS
OF OUR REPORT ON MONITORING PSYCHIATRIC INSTITUTIONS IN 2017

INCREASING PROTECTION OVER 40 YEARS

In 2014, we decided to strengthen the role of National Preventive Mechanisms in protecting persons in situations of vulnerability and organised Symposiums on Children in Detention (2014), LGBTI Persons in Detention (2015), and Monitoring Psychiatric Institutions (2016). In 2016, with the adoption of our new “Agenda for Change,” we put an additional emphasis on protecting persons during the first hours of police custody, when the risks of torture and other ill-treatment are heightened.

“ Torture prevention is not very attractive, let alone visible – how can we measure something that is not supposed to have taken place? – yet it bears fruit. Just look at what the APT has done in 40 years! ”

Marina Rollman, on the occasion of APT's 40th anniversary, 14 September 2017

Hani Abbas draws live the complex situation of detainees during APT's 40th anniversary evening

40 YEARS OF TORTURE PREVENTION: FROM A LOCAL INITIATIVE TO A GLOBAL REALITY

“Preventing torture in 2017” was the theme of the roundtable we organised in April at the Geneva Academy of International Humanitarian Law and Human Rights. Nils Melzer, UN Special Rapporteur of Torture emphasised the dark reality of torture, stressing that *“We cannot change history retroactively. Therefore, if we want to change history, we must do it in advance.”* Positive impact of monitoring places of detention combined with State action was highlighted by Catherine Paulet, French prison psychiatrist and international detention monitor, who shared concrete examples of improvements in conditions of detention she had witnessed over the past 10 years.

At a time of “collective amnesia” and official narratives trivialising and even justifying torture in the name of security and the fight against terrorism, the key message from all panellists was the crucial necessity to unite efforts and resources to put an end to this abhorrent practice. APT's role as a convening force was recognised by the Swiss Federal Department of Foreign Affairs, who also encouraged us, as a strategic partner, to keep on being a driver of innovation and an example of persistence and efficiency.

In September, we also organised a cultural and fundraising event in the gardens of the Jean-Jacques Gautier Centre. Ten artists contributed to the success of the evening with their talent, music, paintings, and cartoons and revived the community of “Artists against torture,” created 25 years ago. We thank them as well as the national and international authorities, partners and close friends of the APT who, with their presence and despite the cold weather, expressed their support to torture prevention and to our work.

ARTISTS WHO

ANIMATED THE EVENING



Hani Abbas
Cartoonist



Marie-Adèle Borsinger
Singer and songwriter



Elina Duni
Actress and Screen writer



Marina Rollman
Comedian and radio columnist



Geneva Quartet

DONATED A PAINTING in favour of APT's activities around the world



José Albiol



John Armleder



Alexandre Bianchini



Sylvie Fleury



Mai-Thu Perret

Operating Accounts and Balance Sheet 2017*

INCOME 2017	CHF
Restricted	
Foreign governments	566,804
Swiss authorities and public institutions	339,309
Private foundations	162,945
Intergovernmental organisations	20,746
Total restricted income	1,089,804
Unrestricted	
Foreign governments	488,841
Swiss authorities and public institutions	250,000
Private foundations	487,998
Other subsidies	10,590
Other income	664,065
Services to CTI	66,473
Total unrestricted income	1,967,967
Total income	3,057,771

EXPENDITURE 2017	CHF
Operations	(1,707,763)
Communications and Outreach	(508,396)
Management and Secretariat	(646,858)
Policy and Strategy	(30,719)
Depreciation of fixed assets	(86,777)
Total Operating Expenditure	(2,980,513)
Operating Result	77,258
Interest, banking fees and exchange rate difference	(8,783)
Expenses from previous years	(13,751)
Income from previous years	421
Result before restriction in funds	55,145
Allocation to restricted funds	(1,089,804)
Use of restricted funds	1,181,847
Net decrease in restricted funds	92,043
Result 2017 (before capital allocation)	147,188
Allocation to related capital	(200,000)
Result 2017	(52,812)

ASSETS	CHF
Current Assets	
Cash and cash equivalents	1,000,730
Accounts receivable	83,052
Accruals and other current assets	66,956
Work of art	50,000
Total Current Assets	1,200,738
Fixed Assets, net	
Centre Jean-Jacques Gautier	2,867,057
Office material	18,088
Furniture and fixture	62,908
IT hard and software	0
Total Fixed Assets, net	2,948,053
Total Assets	4,148,791

LIABILITIES AND WEALTH	CHF
Short term Liabilities	
Income received in advance	487,070
Liabilities Centre Jean-Jacques Gautier	5,414
Other liabilities	241,276
CTI current account	209,847
Total short term Liabilities	943,607
Long term Liabilities	
Fondation Pro Victimis	200,000
Total long term Liabilities	200,000
Restricted Funds	
Restricted funds on ongoing projects	156,326
Restricted funds Centre Jean-Jacques Gautier	2,547,684
Total Restricted funds	2,547,684
Wealth	
Related capital	200,000
Reserve Centre Jean-Jacques Gautier	261,967
Other reserves	90,000
Balance brought forward	(197,981)
Result of the year	(52,812)
Total Wealth	301,174
Total Liabilities and Wealth	4,148,791

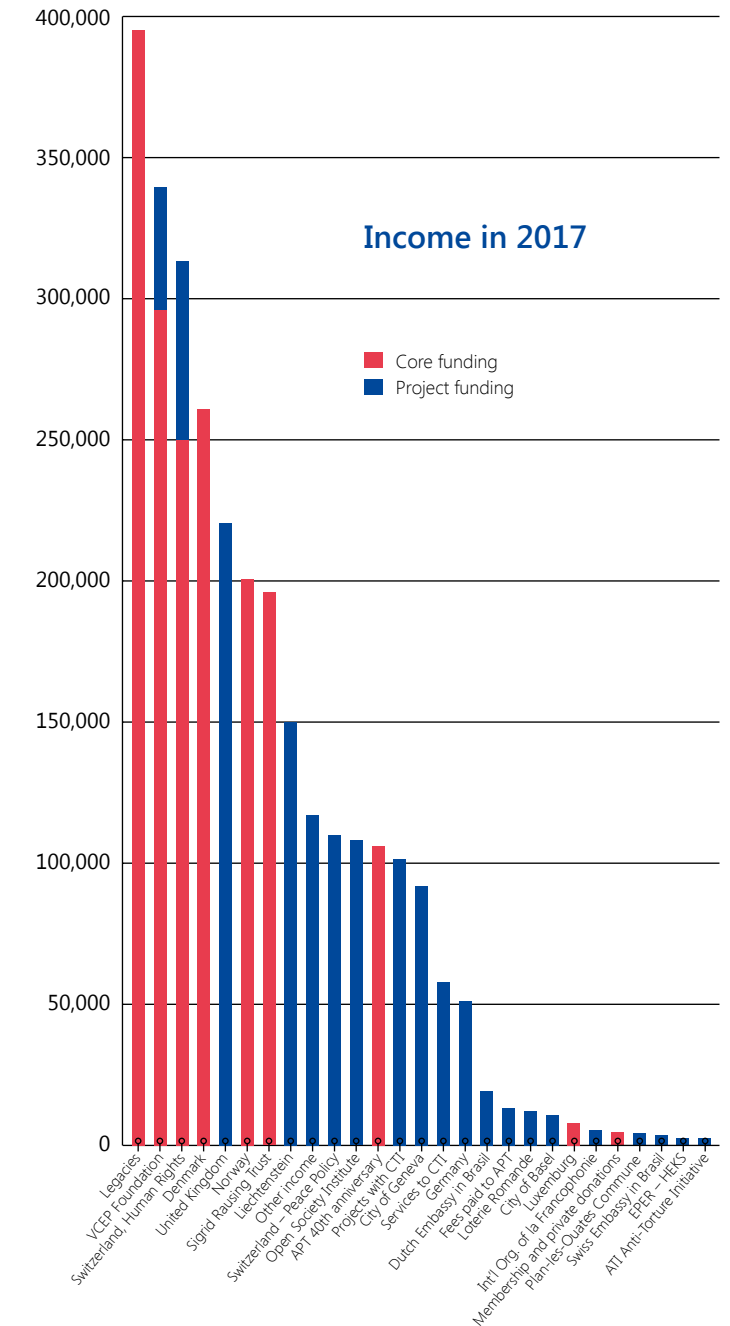
HIGHER DEMANDS BUT LOWER INCOME

The year 2017 confirmed the tendency of some governments to reorient their cooperation policies towards issues that attract greater public attention than the fight against torture, such as immigration. The choice of some institutional donors to concentrate large amounts of funding on a smaller number of beneficiaries is also a source of concern. As a medium-sized organisation, the APT is particularly threatened by this trend.

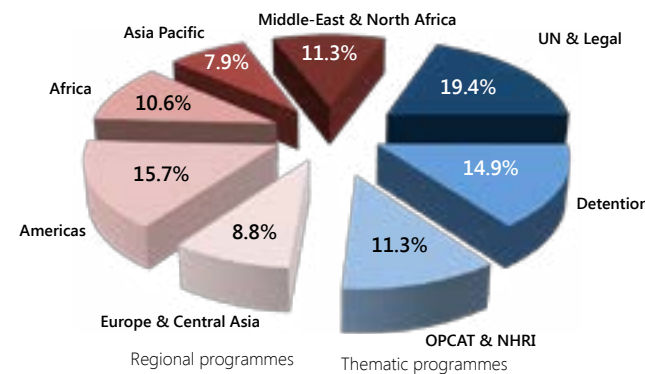
The APT had not reported a deficit since the fiscal year 2014. In response to this new situation, we made important efforts to reduce our operating costs, without compromising the quality of our work which is more in demand than ever in all regions of the world.

At the same time, we continued our efforts to diversify our sources of funding. Some of these, in particular inroads with private foundations and individual donors, are starting to bear fruit. This was demonstrated by our 40th anniversary artistic and cultural evening, which made it possible to engage and retain an audience wider than our traditional partners.

“Ever-growing requests in the face of decreasing resources,” this is how our current situation can be summed up. In this context, we need the backing of our friends and partners more than ever before. We therefore can only hope that you not only continue your cooperation, but also that you act as ambassadors in persuading other donors to help us build societies free of torture that protect the dignity of all persons deprived of liberty.



Allocation of operational costs in 2017



*as in annual audited accounts accessible on our website

**APT Board,
Advisory Council
and Staff in 2017**



PRESIDENT
Martine Brunschwig Graf**, Switzerland

VICE-PRESIDENTS
Michael Kellett**, United Kingdom
Erika Schläppi**, Switzerland

TREASURER
Klaus Belzer**, Switzerland

HONORARY MEMBER
Marco Mona, Switzerland

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Silvia Casale, United Kingdom
Rafendi Djamin, Indonesia
Malcolm Evans, United Kingdom
Nejib Hosni, Tunisia
Bacre Waly N'Diaye, Senegal
Maggie Nicholson, United Kingdom
Erik Prokosch, Switzerland
Jean-Pierre Restellini, Switzerland
Paz Rojas, Chile

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Truscan*, Romain Zappella,
Shazeera Zawawi
Fellow: Guillemette Moulin
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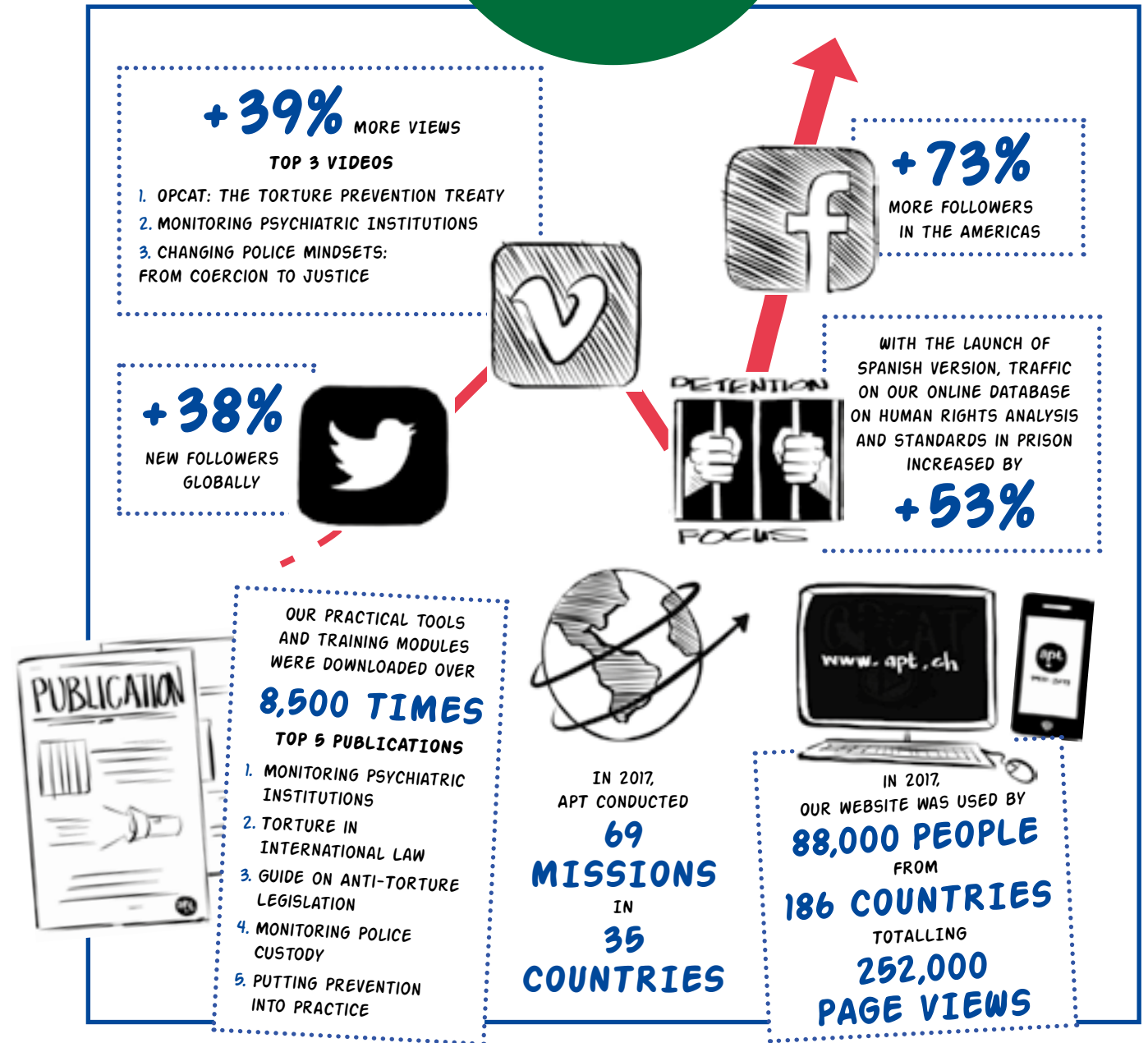
* Only for part of the year

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Abdelwahab Hani, Tunisia
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Jacques Lederrey**, Switzerland
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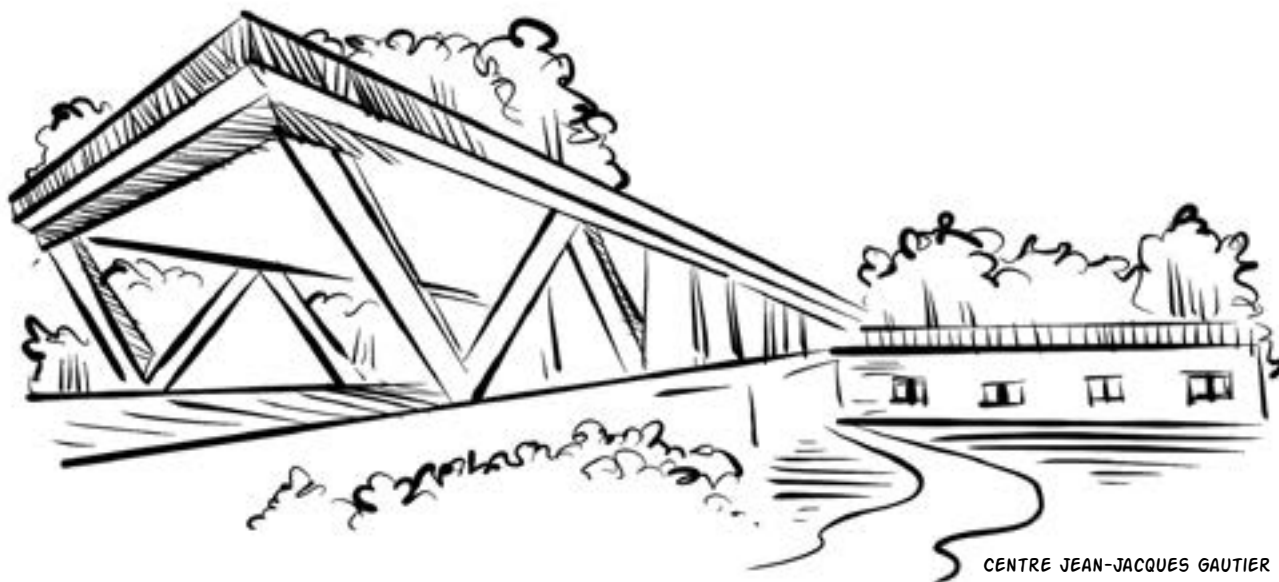
** Member of the Bureau



**2017
Global Outreach**



A more detailed and interactive version is available on:
www.apr.ch/en/annual-report-2017



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