



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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**Third annual report of the Subcommittee on
Prevention of Torture and Other Cruel, Inhuman
or Degrading Treatment or Punishment**

(April 2009 to March 2010)

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Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction.....	1–9	4
II. Mandate of the Subcommittee on Prevention of Torture	10–19	6
A. Objectives of the Optional Protocol to the Convention against Torture	10	6
B. Key features of the mandate of the Subcommittee on Prevention of Torture.....	11–12	6
C. Powers of the Subcommittee on Prevention of Torture under the Optional Protocol.....	13–15	7
D. Preventive approach	16–19	7
III. Visiting places of deprivation of liberty.....	20–36	8
A. Planning the work of the Subcommittee on Prevention of Torture in the field.....	20–24	8
B. Visits carried out during the reporting period.....	25–29	9
C. Publication of the visit reports of the Subcommittee on Prevention of Torture.....	30–32	10
D. Issues arising from visits	33–36	11
IV. National preventive mechanisms	37–53	11
A. Work of the Subcommittee on Prevention of Torture related to national preventive mechanisms	37–48	11
B. Issues in relation to the establishment of national preventive mechanisms....	49–53	13
V. Cooperation with other bodies	54–72	14
A. Relations with relevant United Nations bodies.....	54–63	14
B. Relations with other relevant international organizations	64–68	17
C. Relations with civil society.....	69–72	18
VI. Administrative and budgetary matters	73–77	19
A. Resources in 2009–2010.....	73–74	19
B. Secretariat of the Subcommittee on Prevention of Torture.....	75–76	19
C. Budgetary requirements.....	77	19
VII. Organizational activities	78–86	19
A. Plenary sessions of the Subcommittee on Prevention of Torture	78–80	19
B. Overall assessment	81–82	20
C. Challenges	83–86	20

Annexes

I. States parties to the Optional Protocol to the Convention against Torture as of 1 March 2010.....	22
II. Members of the Subcommittee on Prevention of Torture	25

III.	Visits carried out in 2009	26
IV.	Programme of the work of the Subcommittee on Prevention of Torture in the field for 2010.....	29
V.	Participation of the members of the Subcommittee on Prevention of Torture in Optional Protocol-related activities – April 2009–March 2010.....	30
VI.	OPCAT Contact Group.....	33
VII.	Information on country visit reports and follow-up as of 26 February 2010	34

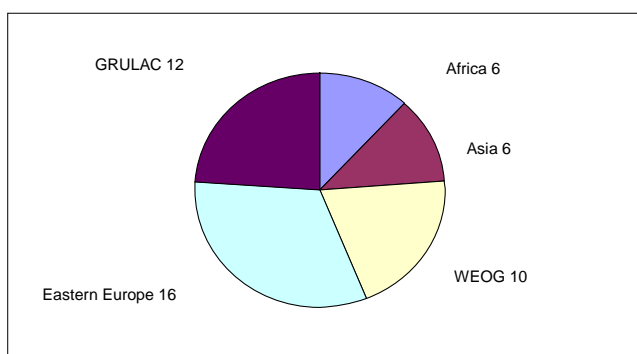
I. Introduction

1. This public document is the third annual report of the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.¹ It gives an account of the work of the Subcommittee during the period from April 2009 to the end of March 2010.²

2. One of the major events during this period was the depositing of the fiftieth instrument of ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,³ which produced the following situation of signatures and ratifications by geographical region:

States parties by region

Africa	6
Asia	6
Group of Western European and other States (WEOG)	10
Eastern Europe	16
Group of Latin American and Caribbean States (GRULAC)	12



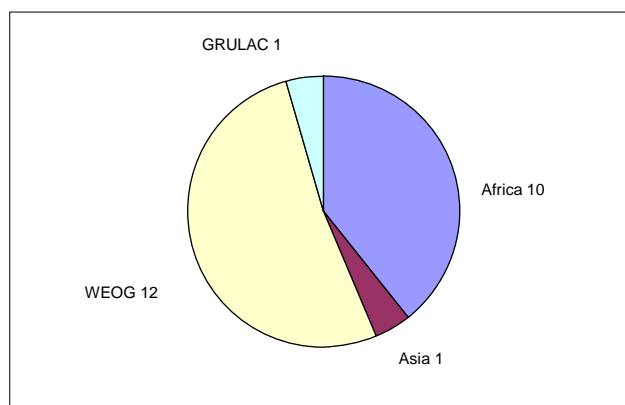
States that have signed but not ratified the Optional Protocol, by region (total 24)

Africa	10
Asia	1
Group of Western European and other States (WEOG)	12
Eastern Europe	0
Group of Latin American and Caribbean States (GRULAC)	1

¹ Established following the entry into force in June 2006 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. For the text of the Optional Protocol, see www2.ohchr.org/english/law/cat-one.htm.

² In accordance with the Optional Protocol (art. 16, para. 3), the Subcommittee presents its public annual reports to the Committee against Torture.

³ Switzerland deposited its instrument of ratification on 24 September 2009. For a list of the States parties to the Optional Protocol, see annex I.



3. The fiftieth ratification automatically gives rise to an unavoidable challenge to the entire system of prevention of torture, as the membership of the Subcommittee thereby increases from 10⁴ to 25, which will make it the largest expert body in the United Nations.

4. It is hoped that the additional members needed to bring the number to 25 will be elected in 2010. This will entail a complex, informed process in order to ensure the most geographically representative and multidisciplinary membership.

5. The current geographical distribution in the Subcommittee is extremely uneven. There are no members from Africa or Asia, even though there are States parties in each of those regions, and Western Europe and Latin America are overrepresented, as can be seen from the following table.

Current geographical distribution

<i>Region</i>	<i>Ratification (%)</i>	<i>Membership (%)</i>
Africa	12	0
Asia	12	0
Eastern Europe	33	30
GRULAC	24	40
WEOG	18	30

6. The General Assembly (resolution 63/167) has encouraged States parties to take action to ensure an equitable geographical institution in the membership of the treaty bodies. The Subcommittee trusts that, in the election of new members to the Subcommittee at the next meeting of the States parties, the following points will be considered:

- Equitable geographical distribution in its membership would give the Subcommittee greater legitimacy and acceptance, in addition to enriching its work. It is also important to establish gender balance in the Subcommittee and to include specialists in particular areas, including health.
- With 50 States parties, the recommended distribution of members would be as follows: Africa 3, Asia 3, Western Europe 5, Eastern Europe 8 and Latin America 6.

7. As a matter of priority in this transition, it is incumbent on the current membership of the Subcommittee to lay the foundations for methods of work and to apply the

⁴ For a list of the current members of the Subcommittee, see annex II.

experience and lessons learnt in order to discharge the three pillars of the Subcommittee's mandate, namely:

- Visits to places of deprivation of liberty
- Direct contact with national mechanisms for the prevention of torture
- Cooperation with United Nations bodies, international and regional organizations and national bodies working in related areas

8. Article 25 of the Optional Protocol states that the "expenditure incurred by the Subcommittee on Prevention in the implementation of the present Protocol shall be borne by the United Nations" and that the "Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Subcommittee on Prevention under the present Protocol". During its third year, the Subcommittee executed its allocated budget in carrying out three visits planned for the year, but the schedule when the remaining 15 members take their seats should comprise at least eight visits a year.

9. During the reporting period the Subcommittee has developed a growth strategy which has meant that, despite not having the resources to carry out more visits or activities under its mandate, it has adopted creative measures to leverage the limited resources at its disposal, as it is still confronted by gaps in the budget that will have to be covered in the next biennium if all the Subcommittee's tasks under the Optional Protocol are to be discharged.

II. Mandate of the Subcommittee on Prevention of Torture

A. Objectives of the Optional Protocol to the Convention against Torture

10. Article 1 of the Optional Protocol provides for a system of regular visits by mechanisms at the international and national levels to prevent torture or other cruel, inhuman or degrading treatment or punishment. The Subcommittee conceives this system as an interlocking network of mechanisms carrying out visits and other related functions under their preventive mandates in cooperation with each other. Good relations and communications between the visiting bodies working at different levels need to be developed and maintained in order to avoid duplication and to use scarce resources to best effect. The Subcommittee has a mandate to engage directly with other visiting mechanisms, both at the international and the national levels. During the reporting period it has continued to seek ways to promote synergy among those working in the field of prevention.

B. Key features of the mandate of the Subcommittee on Prevention of Torture

11. The mandate of the Subcommittee is set out in the Optional Protocol in article 11. This establishes that the Subcommittee shall:

- (a) Visit places where persons are or may be deprived of liberty and make recommendations to the States parties on the protection of persons deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment;
- (b) In regard to national preventive mechanisms:
 - (i) Advise and assist States parties, when necessary, in their establishment;

(ii) Maintain direct contact with national preventive mechanisms and offer them training and technical assistance; advise and assist national preventive mechanisms in evaluating the needs and necessary means to improve safeguards against ill-treatment; and make necessary recommendations and observations to States parties with a view to strengthening the capacity and mandate of national preventive mechanisms;

(c) Cooperate with relevant United Nations bodies as well as with international, regional and national bodies, in the prevention of ill-treatment.

12. The Subcommittee considers the three pillars of its mandate to be essential for the prevention of torture and other cruel, inhuman or degrading treatment or punishment but an objective assessment to date shows that the biggest obstacle to fulfilling these international obligations is the small number of visits to countries and, in particular, the total lack of any allocation for the budget item under article 11 (b) of the Optional Protocol, namely assisting States parties with the establishment of national preventive mechanisms.

C. Powers of the Subcommittee on Prevention of Torture under the Optional Protocol

13. In order for the Subcommittee to fulfil its mandate, it is granted considerable powers under the Optional Protocol (art. 14). Each State party is obliged to allow visits by the Subcommittee to any places under its jurisdiction and control where persons are or may be deprived of their liberty, either by virtue of an order given by a public authority or at its instigation or with its consent or acquiescence.⁵

14. States parties further undertake to grant the Subcommittee unrestricted access to all information concerning persons deprived of their liberty and to all information referring to the treatment of those persons, as well as their conditions of detention.⁶ They are also obliged to grant the Subcommittee private interviews with persons deprived of liberty without witnesses.⁷ The Subcommittee is free to choose the places it wishes to visit and the persons it wishes to interview.⁸ Similar powers are to be granted to national preventive mechanisms, in accordance with the Optional Protocol.⁹

15. During the reporting period the Subcommittee has continued to exercise these powers successfully, with the cooperation of the States parties visited.

D. Preventive approach

16. The process of prevention of torture and other cruel, inhuman or degrading treatment or punishment ranges from the analysis of international instruments on protection to the examination of the material conditions of detention, taking in along the way public policy, budgets, regulations, written guidelines and theoretical concepts explaining the acts and omissions that impede the application of universal standards to local conditions.

⁵ Optional Protocol, arts. 4 and 12 (a).

⁶ Ibid., arts. 12 (b) and 14, paras. 1 (a) and (b).

⁷ Ibid., art. 14, para. 1 (d).

⁸ Ibid., art. 14, para. 1 (e).

⁹ Ibid., arts. 19 and 20.

17. The Subcommittee has held discussions with the OPCAT Contact Group¹⁰ on the scope of prevention of torture. To that end two working meetings were organized during the eighth and ninth sessions of the Subcommittee.

18. Whether or not torture or other cruel, inhuman or degrading treatment or punishment occurs in practice in a given State, there is always a need for States to be vigilant in order to guard against the risk of it occurring and to put in place and maintain effective and comprehensive safeguards to protect persons deprived of their liberty. It is the role of preventive mechanisms to ensure that such safeguards are actually in place and operating effectively and to make recommendations to improve the system of safeguards, both in law and in practice, and thereby the situation of persons deprived of their liberty.

19. In examining examples of both good and bad practice, the Subcommittee seeks to build upon existing protections, to close the gap between theory and practice and to eliminate, or reduce to a minimum, the possibilities for torture and other cruel, inhuman or degrading treatment or punishment.

III. Visiting places of deprivation of liberty

A. Planning the work of the Subcommittee on Prevention of Torture in the field

20. During its third year of operation, the Subcommittee selected the States to be visited by a reasoned process, with reference to the principles indicated in article 2 of the Optional Protocol. The factors taken into consideration in the choice of countries to be visited were date of ratification, establishment of a national preventive mechanism, geographical distribution, size and complexity of State, regional preventive monitoring, and urgent issues reported.

21. The Subcommittee limited its programme of visits to three this year because of budgetary constraints, although it takes the view that, after the initial period of development, its visits programme in the medium term should involve 10 visits per 12-month period. This annual rate of visits is based on the conclusion that, to visit the 50 States parties effectively in order to prevent ill-treatment, the Subcommittee would have to visit each State party at least once every four to five years on average. In the Subcommittee's view, less frequent visits could jeopardize effective support to and reinforcement of national preventive mechanisms in the fulfilment of their role and the protection afforded to persons deprived of liberty.

22. To that end, the Subcommittee has prepared for the Office of the United Nations High Commissioner for Human Rights (OHCHR) detailed and reasoned budgetary calculations for its future work (see section VI below).

23. As regards the methodology and logistics of its visits, the Subcommittee requests information from the State party to be visited concerning the legislation and institutional and system features related to deprivation of liberty, as well as statistical and other information concerning their operation in practice. This is summarized in a country brief, which is a vital tool for mapping the situation of prevention of torture in the country to be visited.

¹⁰ For the membership of the OPCAT Contact Group, see annex VI.

24. In late November 2009, the Subcommittee announced its programme of work in the field for 2010, including visits to Lebanon, Liberia and the Plurinational State of Bolivia. Other visits may also be made, including one follow-up visit and another to assist in establishing national preventive mechanisms (countries and dates to be determined in due course).

B. Visits carried out during the reporting period

25. The Subcommittee visited Paraguay, Honduras and Cambodia during the period covered by the report – Paraguay in March, Honduras in September and Cambodia in December. During these visits, the delegations focused on the development process for national preventive mechanisms, on the situation in terms of identifying risks of torture, and on protection for persons held in places of deprivation of liberty of various kinds.¹¹

26. During visits, Subcommittee delegations have engaged in empirical fact-finding and discussions with a wide range of interlocutors, including officials of the ministries concerned with deprivation of liberty and with other government institutions, other State authorities such as judicial or prosecutorial authorities, relevant national human rights institutions, professional bodies and representatives of civil society. Where national preventive mechanisms are already in existence, they are important interlocutors for the Subcommittee. Confidential face-to-face interviews with persons deprived of their liberty are the chief means of verifying information and establishing the risk of torture. Delegations also engaged in discussions with staff working in custodial settings and, in the case of the police, also with those working in the investigation process. Interviews were also held with staff of juvenile centres, psychiatric hospitals and military units.

27. At the end of each regular visit, the Subcommittee delegation presented its preliminary comments to the authorities orally in a confidential wrap-up meeting. The Subcommittee wishes to thank the authorities of Cambodia, Honduras and Paraguay for the spirit in which delegations' initial comments were received and the constructive discussions about ways forward. After each visit the Subcommittee wrote to the authorities, reiterating key preliminary comments and requesting feedback and updated information on any steps taken or being planned since the visit to address the issues raised during the wrap-up meeting, and in particular on specific issues that could have been or were due to be addressed in the weeks following the visit. The Subcommittee indicated that responses communicated by the authorities would be considered in the drafting of the visit report.

28. The authorities were also reminded, later in the period following the visit, that any responses received by the Subcommittee before adoption of the draft visit report in plenary session would form part of the Subcommittee's deliberations when considering adoption. These communications form an important part of the ongoing preventive dialogue between the State party and the Subcommittee. The Subcommittee is gratified to report that, for each of the visits carried out to date, it has received feedback from the authorities concerning the preliminary comments, as well as further information, before the adoption of the corresponding report. This is an indication that the first States parties to be visited have embraced the ongoing process of dialogue and incremental progress on prevention.

29. The authorities are asked to respond in writing to the recommendations and to the requests for further information in the Subcommittee's report on the visit to that State, as transmitted to them in confidence after adoption by the Subcommittee. Thus far the

¹¹ For details of the places visited, see annex III.

competent authorities of two of the countries visited have responded promptly – a clear signal of their willingness to cooperate with the Subcommittee.

C. Publication of the visit reports of the Subcommittee on Prevention of Torture

30. At the time of writing, of the seven visit reports issued to date, only those on Honduras, the Maldives and Sweden, along with the authorities' responses in the case of Sweden, were in the public domain. The Subcommittee hopes that in due course the authorities of every State party visited will request that the visit report and the authorities' response to it should be published. Until such time the visit reports remain confidential.

31. Even though the majority of the Subcommittee's reports are still confidential, the following recommendations from those that have been published are summarized below as they may be useful for other States in the area of prevention of torture:

- **National preventive mechanisms:** Guidelines on their establishment, the involvement of civil society, and their mandate, powers and membership. The Subcommittee has strongly emphasized the need for legislation establishing national preventive mechanisms to contain an independent procedure for selecting members.
- **Legal and institutional framework:** On the legal framework, the recommendations include alignment of criminal law with international standards on preventing and combating torture, which generally entails defining torture as an offence in accordance with article 1 of the Convention against Torture, and the establishment of legal safeguards against torture, such as access to a lawyer and a doctor and the exclusion of evidence obtained by torture. On the institutional framework, the recommendations are aimed at strengthening institutions involved in prevention of torture. Specifically, the Subcommittee has recommended an increase in the resources allocated to the public defender system and the judiciary, and has highlighted the important role these institutions play in preventing torture.
- **Places of deprivation of liberty:** With regard to the police, generally speaking the Subcommittee recommends observance and implementation of existing legal safeguards, training in prevention for police personnel and improvement of the material conditions of detention. The Subcommittee has noted with concern that acts of torture and other forms of ill-treatment often take place during the first few hours of detention in police stations, and has therefore emphasized the need for detailed records — giving, for example, the identity of all persons detained, the time of detention and on what grounds — to be kept at police headquarters and for police officials to be trained in their use. With regard to prisons, the recommendations usually refer to the separation of the various categories of prisoners (pretrial/convicted, male/female, minors/adults, in accordance with the relevant international standards), the material conditions in prisons (adequate living space, food and drinking water of adequate quality and in sufficient quantity, etc.) and methods of discipline and punishment, with particular attention to conditions of isolation. Reference is also made to each country's particular circumstances, for example as regards risk groups such as women, minors, persons with disabilities, indigenous people and Afro-descendants.

32. The Subcommittee will develop these comments in future annual reports.

D. Issues arising from visits

33. The Optional Protocol provides that Subcommittee members may be accompanied on visits by experts of demonstrated professional experience and knowledge, to be selected from a roster prepared on the basis of proposals made by the States parties, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Centre for International Crime Prevention. To date 30 States parties have provided names and details of experts for the roster.

34. The Subcommittee hopes that experts from all regions of the world will be included in the roster. The Subcommittee still awaits the roster of experts and, in its absence, continues to select experts from the list of names proposed by States parties and from among experts widely recognized as having the required relevant expertise. During the period covered by the present report, it was not possible for delegations to the countries visited to be accompanied by independent experts owing to budgetary constraints.

35. The Subcommittee has concerns about the possibility of reprisals after its visits. Persons deprived of their liberty with whom the Subcommittee delegation has spoken may be threatened if they do not reveal the content of these interviews, or punished for having spoken with the delegation. In addition, the Subcommittee has been made aware that some persons deprived of their liberty may have been warned in advance not to say anything to the Subcommittee delegation. Article 15 of the Optional Protocol lays a positive obligation upon the State to take action to ensure that there are no reprisals as a consequence of a visit by the Subcommittee.

36. The Subcommittee expects the authorities of each State visited to ascertain whether reprisals for cooperating with the Subcommittee have occurred and to take urgent action to protect all concerned. In this regard, the existence of national preventive mechanisms is of prime importance.

IV. National preventive mechanisms

A. Work of the Subcommittee on Prevention of Torture related to national preventive mechanisms

37. The Optional Protocol requires each State party to set up, designate or maintain at the domestic level one or several visiting bodies for the prevention of torture and other cruel, inhuman or degrading treatment or punishment (national preventive mechanisms). Most States parties have not met this obligation, as can be seen from the table below.

Designation of national preventive mechanisms

States parties that have designated a national preventive mechanism	30
States parties that have not designated a national preventive mechanism	21

38. Of the 21 States that have not designated a national preventive mechanism, 14 are in breach of their obligation to set up or designate a national preventive mechanism, taking into account dates of ratification and declarations made under article 24 of the Optional Protocol.

39. During its third year the Subcommittee again made contact with all States parties who were due to establish or maintain national preventive mechanisms in order to encourage them to communicate with the Subcommittee about the ongoing process of developing such mechanisms. States parties to the Optional Protocol were requested to send

detailed information concerning the establishment of national preventive mechanisms (legal mandate, composition, size, expertise, financial resources at their disposal, frequency of visits, etc.). At the time of writing, 32 States parties had provided information on all or some of these matters.¹² Information was also requested from those mechanisms already designated or in place, many of which sent in their annual reports.

40. The establishment or designation of national preventive mechanisms is an obligation undertaken by States parties under the Optional Protocol. The national preventive mechanisms are a key component of the torture prevention system instituted by the Optional Protocol. Accordingly, the Subcommittee takes this opportunity to urge those States parties that have not yet done so to establish or designate such a mechanism as soon as possible.

41. Given that, during the reporting year — and indeed since the Subcommittee began its work — there has been no budget allocation for the Subcommittee to work directly with States or with the national preventive mechanisms, or for the promotion of ratification and implementation of the Optional Protocol, direct contact with the national preventive mechanisms has been made possible by the firm support, including financial support, of civil society bodies, such as the OPCAT Contact Group and others that have organized workshops in their own countries. The Subcommittee wishes to underline the importance of the support it receives from civil society organizations in this regard but would also draw the attention of the General Assembly to the risks entailed in delegating budget support for the discharge of an official mandate to non-governmental bodies.

42. The Subcommittee has tried to find creative options for maintaining its critical work in this area, and members have made what are to all intents and purposes personal undertakings to take part in workshops and academic activities in countries in every part of the world. During the reporting period, Subcommittee members attended 14 events of this kind.

43. The Subcommittee earnestly hopes that the General Assembly will be able to provide it with sufficient resources for the next biennium to enable it to discharge its mandate to advise and assist the national preventive mechanisms in accordance with article 11 (b) of the Optional Protocol.

44. During the course of the year, the Subcommittee had various bilateral and multilateral contacts with national preventive mechanisms and other organizations, including national human rights institutions (NHRIs) and NGOs involved in the development of such mechanisms in all the regions covered by its mandate. The Subcommittee salutes the work of the member organizations of the OPCAT Contact Group,¹³ in partnership with regional bodies such as the African Commission on Human and Peoples' Rights, the Council of Europe, the Inter-American Commission on Human Rights, the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE) and the European Commission, in organizing gatherings around the world to promote and assist in the implementation of the Optional Protocol.

45. In response to requests from some national preventive mechanisms for assistance, the Subcommittee is exploring ways to develop a pilot programme for assistance to national preventive mechanisms, based on a combination of workshops and observation of national

¹² All official information communicated by States parties to the Subcommittee concerning designation, establishment or maintenance of national preventive mechanisms is available on the Subcommittee's website: <http://www2.ohchr.org/english/bodies/cat/opcat/index.htm>.

¹³ For the organizations involved in the OPCAT Contact Group, see annex VI.

preventive mechanism visits in action, with subsequent feedback and exchange of views. The workshop model arose from a meeting with a representative of the Estonian national preventive mechanism during the Subcommittee's fifth plenary session and from a workshop carried out in Estonia during the reporting period. The model was piloted in 2009, as part of a programme supported by the Council of Europe and organized by the Association for the Prevention of Torture (APT). The Subcommittee is pursuing such avenues of support in order to fulfil its mandate under the Optional Protocol in the context of the continuing absence of any United Nations budgetary provision for this part of its work (see section VI below).

46. In the course of their visits during the reporting period, Subcommittee delegations met with representatives of the bodies designated to act as national preventive mechanisms in some of the countries visited. In Cambodia a meeting was held with various intergovernmental bodies that have been designated to develop the country's national mechanism. In Honduras, despite the fact that legislation on the designation of a national mechanism has been enacted, its members had not been chosen at the time of the visit.

47. Members of the Subcommittee were also involved in a number of meetings¹⁴ at the national, regional and international levels, concerning the development of national preventive mechanisms. The Subcommittee members consider this part of their mandate so crucial that they have made every effort to be involved through self-funding or with generous support, including financial support, from the organizers – mainly international, regional and national civil society organizations.

48. On another issue, it is well known that there is a discrepancy between the various authentic texts of article 24 of the Optional Protocol, whereby States parties may make a declaration postponing the implementation of their obligations under either part III or part IV of the Protocol. The Arabic, Chinese, English and French versions provide that such a declaration may be made "upon ratification", whereas the Russian and Spanish versions say "once ratified". The matter was referred to the United Nations Office of Legal Affairs, which, having considered the question, initiated a correction procedure to bring the Russian and Spanish versions of article 24 into line with the other four authentic texts. Insofar as the majority of the States parties are not opposed to such a correction, the change will enter into force on 29 April 2010, with retroactive effect. The Subcommittee welcomed this clarification and the resulting certainty with regard to the nature of States parties' obligations under the Optional Protocol.

B. Issues in relation to the establishment of national preventive mechanisms

49. In meeting their obligations under the Optional Protocol to set up, designate or maintain at the domestic level one or several visiting bodies for the prevention of torture and other ill-treatment, States parties must choose the model they find most appropriate, taking into account the complexity of the country, its administrative and financial structure and its geography. Similarly, the States parties must comply with all the provisions of the Optional Protocol regarding the mandate and operation of their national preventive mechanism.

50. The national preventive mechanisms should complement existing systems of protection against torture and ill-treatment. They should not replace or duplicate the

¹⁴ For a list of activities related to national preventive mechanisms in which Subcommittee members participated, see annex V.

monitoring, control and inspection functions of governmental and non-governmental bodies. The main objectives of the mechanisms are to formulate recommendations on the basis of observations made and information obtained and to enter into a dialogue with the competent authorities with a view to improving the situation of persons deprived of their liberty and proposing ways of implementing the recommendations; in addition to submitting draft legislation and comments on proposed or existing legislation.

51. Where existing institutions such as the Ombudsman or the national human rights institution (NHRI) are designated as national preventive mechanisms, a clear distinction should be made between such bodies, which generally act in response to specific situations, and national preventive mechanisms, which have preventive functions. In such cases, the national preventive mechanism should be constituted as a separate unit or department, with its own staff and budget.

52. The Subcommittee wishes to reiterate the provisions of its preliminary guidelines to the effect that the national preventive mechanism should preferably be established by law or by the Constitution. Its powers, structure, functional independence, mandate and membership should be established in a special law, which should also set forth the various professional qualifications required of members of the mechanism, the way in which they are to be appointed, their term of office and the immunities they should be granted. Places of detention should also be defined in accordance with the Optional Protocol. Further, the national preventive mechanisms should issue annual reports on their work, which should be published and distributed by the States parties. Lastly, States parties should encourage and facilitate contact between the mechanisms and the Subcommittee.

53. Where the national preventive mechanism has a complex multilevel structure, States parties should ensure communication and coordination among the various units comprising the mechanism, including senior officials. Contact between the Subcommittee and all units of the mechanism should also be guaranteed.

V. Cooperation with other bodies

A. Relations with relevant United Nations bodies

54. The Optional Protocol establishes a special relationship between the Committee against Torture and the Subcommittee and provides that both bodies shall hold simultaneous sessions at least once a year.¹⁵ The ninth session of the Subcommittee was held simultaneously with part of the forty-third session of the Committee against Torture, and the third joint meeting took place on 17 November 2009. Issues covered in the discussion included implementation of the Optional Protocol, cooperation between the Committee against Torture and the Subcommittee (Optional Protocol, arts. 11 (c), 16, para. 4 (c) and 24), Committee/Subcommittee working group, exchange of information (on countries visited and to be visited by the Subcommittee; and on the Convention against Torture), and the rights of persons with disabilities and their implications for the Committee against Torture and the Subcommittee.

55. The third joint meeting was public and as a result it was attended by a considerable number of civil society organizations.

56. Another important event that provided an opportunity for exchange of information between the Chairperson of the Subcommittee, the Chairperson of the Committee against

¹⁵ Optional Protocol, art. 10, para. 3.

Torture and the Special Rapporteur on the question of torture was the presentation of their annual reports to the General Assembly at its sixty-fourth session in New York, on 20 October 2009.¹⁶ This was a historic occasion, in part because it was the first time that these reports had been presented orally, but also because it provided other openings, such as a dialogue with representatives of States and civil society organizations the same day, and the introduction, by several Member States led by Denmark, of the draft resolution on torture and other cruel, inhuman or degrading treatment or punishment. The draft was adopted as General Assembly resolution 64/153 on 18 December 2009 and contains several references to the prevention of torture and the strengthening of the Subcommittee, as follows:

“The General Assembly,

...

2. *Emphasizes* that States must take persistent, determined and effective measures to prevent and combat all acts of torture and other cruel, inhuman or degrading treatment or punishment, stresses that all acts of torture must be made offences under domestic criminal law, and encourages States to prohibit under domestic law acts constituting cruel, inhuman or degrading treatment or punishment;

3. *Welcomes* the establishment of national preventive mechanisms to prevent torture, encourages all States that have not yet done so to establish such mechanisms, and calls upon States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁷ to fulfil their obligation to designate or establish truly independent and effective national preventive mechanisms for the prevention of torture;

4. *Emphasizes* the importance of States’ ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment;

...

7. *Takes note* in this respect of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)¹⁸ as a useful tool in efforts to prevent and combat torture and of the updated set of principles for the protection of human rights through action to combat impunity;¹⁹

8. *Calls upon* all States to implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including education and training of personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

...

¹⁶ For the statement of the Chairperson of the Subcommittee, see the Subcommittee’s website (see note 12 above).

¹⁷ General Assembly resolution 57/199, annex.

¹⁸ General Assembly resolution 55/89, annex.

¹⁹ See E/CN.4/2005/102/Add.1.

23. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority, and calls upon States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention;

...

27. *Invites* the Chairpersons of the Committee and the Subcommittee to present oral reports on the work of the committees and to engage in an interactive dialogue with the General Assembly at its sixty-fifth session under the sub-item entitled 'Implementation of human rights instruments';

28. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching material for this purpose;

...

32. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations Crime Prevention and Criminal Justice Programme, with regional organizations and mechanisms, as appropriate, and civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture, inter alia, by improving their coordination;

33. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and encourages contributions to the Special Fund established by the Optional Protocol to help finance the implementation of the recommendations made by the Subcommittee as well as education programmes of the national preventive mechanisms;

...

36. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment, including in particular the Subcommittee on Prevention of Torture, commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture; ...".

57. This first experiment in the General Assembly will be repeated next year, when the Subcommittee, the Committee against Torture and the Special Rapporteur on the question of torture will each introduce their annual reports.

58. The administration of the Special Fund to provide assistance to States parties in implementing Subcommittee recommendations and to assist with the education programmes of national preventive mechanisms, in accordance with article 26 of the

Optional Protocol, is the responsibility of OHCHR. The Subcommittee has expressed its willingness to pursue discussions on the Special Fund.

59. To date the Czech Republic, Maldives and Spain have made voluntary contributions to the Fund. The Subcommittee is firmly convinced that, as it carries out more visits and more reports are made public, more States will support its work with generous contributions to the Fund.

60. During its plenary sessions and in other external forums, the Subcommittee members discussed relations with other relevant United Nations bodies. In particular, given the complementarity of the Subcommittee's work and that of the Special Rapporteur on the question of torture, the Subcommittee has kept in close contact with Mr. Manfred Nowak and has discussed common challenges faced and methods of working. These discussions took place this year during the seventh session of the Subcommittee, at the presentation of the various reports to the General Assembly, and at a workshop organized by the Council of Europe and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on 6 November 2009 in Strasbourg, France.

61. Mr. Gianni Magazzeni from the Field Operations and Technical Cooperation Division (National Institutions Unit), and members of his staff, attended the ninth plenary session to discuss accreditation of the National Human Rights Institutions (NHRIs) which in many cases have been designated as national mechanisms for the prevention of torture. At that meeting the Subcommittee confirmed its view that the accreditation of national human rights institutions in accordance with the Paris Principles is a supplementary mechanism but should not be used as a procedure for accreditation of national mechanisms in general, since it is for the Subcommittee to make such assessments in specific cases.

62. The Subcommittee continues to be represented at the inter-committee meetings of United Nations human rights treaty bodies, which are a good opportunity to exchange views with experts whose mandates intersect substantively with the Subcommittee mandate. There are points of common interest among the treaty bodies. The Subcommittee's work relates in particular to the mandate of the Committee against Torture and the Human Rights Committee, with respect to the rights of persons deprived of liberty, and likewise to the work of the Committee on the Rights of the Child, which covers the rights of children deprived of liberty, and of the Committee for the Elimination of Discrimination against Women, as regards the rights of women deprived of liberty. The Subcommittee has also attended a workshop with the Chairperson of the Committee on the Rights of Persons with Disabilities, in Bristol, United Kingdom, at which an outline for joint work on the situation of persons with disabilities deprived of liberty was drawn up. The Subcommittee has had occasion to cite the Committee against Torture, the Human Rights Committee and the Committee on the Rights of the Child in its reports on its visits to date.

63. Also for purposes of cooperation, the Subcommittee held a meeting with officials from the Office of the United Nations High Commissioner for Refugees (UNHCR) in the course of its ninth session, at which for the first time strategic information was shared that, in the context of its mandates, might make its visits to persons being held in places of asylum more effective.

B. Relations with other relevant international organizations

64. The Subcommittee also remained in contact with the International Committee of the Red Cross (ICRC) and the two bodies kept up a positive dialogue on the many related areas of their work. This year representatives of ICRC met with the Subcommittee during its eighth session in order to exchange information and proposals for future cooperation under

their respective mandates. Likewise, at the regional level, a seminar held in December 2009, attended by Mr. Mario Coriolano, Vice-Chairperson of the Subcommittee, and members of ICRC, emphasized the importance of the role of health workers in the prevention of torture and ill-treatment, by their dissemination of best practices (see annex V).

65. The Optional Protocol provides that the Subcommittee shall consult with bodies established under regional conventions with a view to cooperating with them and avoiding duplication, in order to promote effectively the objectives of the Optional Protocol to prevent torture and other forms of ill-treatment.

66. During the reporting period, the Subcommittee has maintained close contacts with the Inter-American Commission on Human Rights (IACHR). Mr. Mario Coriolano, in his capacity as focal point for the inter-American regional system, attended an international workshop organized by OHCHR and the Organization of American States (OAS) in Washington D.C. on 8 and 9 December, on the strengthening of cooperation between the international, regional and local human rights protection systems.

67. During the eighth session of the Subcommittee, Ms. Dupe Atoki, then Vice-Chairperson of the African Commission on Human and Peoples' Rights and the Commission's Special Rapporteur on Prisons and Conditions of Detention in Africa, met with the plenary to discuss common issues regarding the prevention of torture and to set up cooperation between the two bodies.

68. The Subcommittee likewise continued to have close contact with the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Members of the Subcommittee met with CPT in the course of a Council of Europe-sponsored workshop held in Strasbourg, France, on 6 November. The workshop was part of a pilot project being conducted by the Council of Europe and the Association for the Prevention of Torture (APT) on support for the establishment and training of national preventive mechanisms in Europe; the main topic was improvement of cooperation.

C. Relations with civil society

69. During the reporting period, the Subcommittee worked in close contact with international and national NGOs²⁰ engaged in strengthening the protection of all persons against torture.

70. The Subcommittee has remained in close contact with the Bristol University (United Kingdom) OPCAT Project and has exchanged ideas and views on a number of issues central to the Subcommittee's work. The project team has been involved in organizing regional activities and has provided a critical external academic perspective concerning aspects of the Subcommittee's work, for which the Subcommittee is very grateful. The last meeting was held in May 2009, when several members of the Subcommittee took part in a workshop in Bristol which looked at questions related to prevention of torture.

71. The OPCAT Contact Group has continued to assist, advise and support the Subcommittee. It has become Subcommittee practice to meet with the Contact Group during each of its plenary sessions. In the last two meetings there was a wide-ranging debate on the scope and definition of the concept of prevention of torture.

²⁰ In accordance with article 11 (c) of the Optional Protocol.

72. The Subcommittee notes with appreciation the continuing contribution made by civil society both to promoting ratification of, or accession to, the Optional Protocol, and to the implementation process. It is also grateful for the constant support provided by APT in both these lines of work.

VI. Administrative and budgetary matters

A. Resources in 2009–2010

73. Article 25 of the Optional Protocol states that “the expenditure incurred by the Subcommittee on Prevention in the implementation of the present Protocol shall be borne by the United Nations” and that “the Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Subcommittee on Prevention under the present Protocol”.

74. Since it began its work in 2007, no United Nations funding has been provided for the Subcommittee to carry out its mandate in relation to national preventive mechanisms. The Subcommittee welcomes the fact that, at the time of writing, there were plans to adopt a budget for the biennium that would take account of the growth in membership from 10 to 25 and would contain other provisions to permit the discharge of other aspects of the Subcommittee’s mandate.

B. Secretariat of the Subcommittee on Prevention of Torture

75. The Subcommittee welcomed the appointment of a staff member to work on an 80-per cent basis on secretariat functions, and a junior professional officer (JPO) to work on a 50-per cent basis, thanks to funding from the Government of Denmark.

76. In its eight visits carried out to date, the Subcommittee has worked with a total of 14 different staff members from OHCHR. All have produced very high-quality work and demonstrated great professionalism. However, such a turnover of staff in visits of this kind creates difficulties in induction and specialization and does not provide the continuity required for such visits. The Subcommittee is confident that an increase in secretariat staff will result in greater stability in this regard.

C. Budgetary requirements

77. The Subcommittee has been engaged in discussions with the department of OHCHR responsible for budget and staffing with a view to obtaining a budget capable of supporting the mandate of the Subcommittee in accordance with the requirements of the Optional Protocol and covering the new needs and challenges arising from the transition to a larger, 25-member Subcommittee.

VII. Organizational activities

A. Plenary sessions of the Subcommittee on Prevention of Torture

78. Over the course of the 12 months covered by the present report, the Subcommittee held three one-week sessions, from 22 to 26 June 2009; from 16 to 20 November 2009 and from 22 to 26 February 2010. These sessions were devoted to planning visits, meeting with

representatives of States parties to be visited, and adopting visit reports. Considerable attention was given to strategic planning and selection of countries for future visits.

79. The sessions also involved examination and discussion of information relating to States parties and national preventive mechanisms and planning of delegations' field activities, as well as meetings with representatives of bodies within the United Nations and from other organizations active in the field of prevention of ill-treatment, and refinement of a series of materials designed to provide basic information about the Subcommittee.

80. In 2009 Ms. Silvia Casale and Mr. Leopoldo Torres Boursault resigned as members of the Subcommittee. The Subcommittee wishes to express its gratitude for and recognition of the work of these two members, who made a key contribution during the first two years of the Subcommittee's existence.

B. Overall assessment

81. During the reporting period, the Subcommittee has made significant progress. It has developed rules, working practices and methods and guidelines on carrying out and institutionalizing its activities under its mandate, particularly visits in the field, where it has built on the experience gained in the eight carried out thus far. It has adopted creative working methods that prioritize efficient use and leverage of the limited resources allocated to it in its first biennium of operation.

82. The Subcommittee has also developed provisional guidelines on the establishment of national mechanisms for the prevention of torture and is working on analytical tools to evaluate the work of those mechanisms. Lastly, it has launched an open debate on the scope and definition of the concept of prevention of torture, which is closely bound up with its mandate.

C. Challenges

83. Despite the heavy workload of members of the Subcommittee and its secretariat, and the inadequacy of financial resources to fully discharge its mandate, the Subcommittee has set a steady course that has already taken it a good way towards the goal of a focused mandate on the prevention of torture, based on collaboration and cooperation, and assistance to the States parties to the Optional Protocol.

84. Yet, with the increase in membership of the Subcommittee from 10 to 25 in the coming year, and given that its mandate is not like that of other treaty bodies, it is essential for the Subcommittee to have *budget support* from the Organization to enable it to discharge its mandate in a comprehensive, sustained and effective manner. Expansion should not only entail an increase in the budget, which will be required for regular sessions of a larger Subcommittee but should above all allow as many field visits as possible, visits being ultimately the main instrument for prevention of torture at the Subcommittee's disposal.

85. The Subcommittee understands that its mandate has to be carried out with limited resources, and it undertakes to optimize the resources allocated in order to conduct the maximum number of field visits with delegations comprising the minimum number of members commensurate with the requirements and profiles of the countries to be visited. In addition, the Subcommittee will discharge its mandate with the same enthusiasm and interest it has shown since its inception, including participation in activities within its sphere of competence that do not receive financial support from the Organization. In such a

context of joint efforts, however, the Subcommittee wishes to emphasize that it must receive adequate resources if it is to carry out its work effectively.

86. Only if the Subcommittee fully discharges both pillars of its mandate under the Optional Protocol will its recommendations have their full impact on the prevention of torture and other ill-treatment, for it is only structural changes in the culture and education of peoples that will make it possible to eliminate violations of the physical and mental integrity of persons deprived of their liberty.

Annexes

Annex I

States parties to the Optional Protocol to the Convention against Torture as of 1 March 2010

<i>Participant</i>	<i>Signature, succession to signature^(d)</i>	<i>Ratification, accession^(a), succession^(d)</i>
Albania		1 Oct. 2003 ^a
Argentina	30 April 2003	15 Nov. 2004
Armenia		14 Sept. 2006 ^a
Australia	19 May 2009	
Austria	25 Sept. 2003	
Azerbaijan	15 Sept. 2005	28 Jan. 2009
Belgium	24 Oct. 2005	
Benin	24 Feb. 2005	20 Sept. 2006
Bolivia (Plurinational State of)	22 May 2006	23 May 2006
Bosnia and Herzegovina	7 Dec. 2007	24 Oct. 2008
Brazil	13 Oct. 2003	12 Jan. 2007
Burkina Faso	21 Sept. 2005	
Cambodia	14 Sept. 2005	30 March 2007
Cameroon	15 Dec. 2009	
Chile	6 June 2005	12 Dec. 2008
Congo	29 Sept. 2008	
Costa Rica	4 Feb. 2003	1 Dec. 2005
Croatia	23 Sept. 2003	25 April 2005
Cyprus	26 July 2004	29 April 2009
Czech Republic	13 Sept. 2004	10 July 2006
Denmark	26 June 2003	25 June 2004
Ecuador	24 May 2007	
Estonia	21 Sept. 2004	18 Dec. 2006
Finland	23 Sept. 2003	
France	16 Sept. 2005	11 Nov. 2008

<i>Participant</i>	<i>Signature, succession to signature^(d)</i>	<i>Ratification, accession^(a), succession^(d)</i>
Gabon	15 Dec. 2004	
Georgia		9 Aug. 2005 ^a
Germany	20 Sept. 2006	4 Dec. 2008
Ghana	6 Nov. 2006	
Guatemala	25 Sept. 2003	9 June 2008
Guinea	16 Sept. 2005	
Honduras	8 Dec. 2004	23 May 2006
Iceland	24 Sept. 2003	
Ireland	2 Oct. 2007	
Italy	20 Aug. 2003	
Kazakhstan	25 Sept. 2007	22 Oct. 2008
Kyrgyzstan		29 Dec. 2008 ^a
Lebanon		22 Dec. 2008 ^a
Liberia		22 Sept. 2004 ^a
Liechtenstein	24 June 2005	3 Nov. 2006
Luxembourg	13 Jan. 2005	
Madagascar	24 Sept. 2003	
Maldives	14 Sept. 2005	15 Feb. 2006
Mali	19 Jan. 2004	12 May 2005
Malta	24 Sept. 2003	24 Sept. 2003
Mauritius		21 June 2005 ^a
Mexico	23 Sept. 2003	11 April 2005
Moldova	16 Sept. 2005	24 July 2006
Montenegro	23 Oct. 2006 ^d	6 March 2009
Netherlands	3 June 2005	
New Zealand	23 Sept. 2003	14 March 2007
Nicaragua	14 March 2007	25 Feb. 2009
Nigeria		27 July 2009 ^a
Norway	24 Sept. 2003	
Paraguay	22 Sept. 2004	2 Dec. 2005
Peru		14 Sept. 2006 ^a
Poland	5 April 2004	14 Sept. 2005
Portugal	15 Feb. 2006	
Romania	24 Sept. 2003	2 July 2009
Senegal	4 Feb. 2003	18 Oct. 2006

<i>Participant</i>	<i>Signature, succession to signature^(d)</i>	<i>Ratification, accession^(a), succession^(d)</i>
Serbia	25 Sept. 2003	26 Sept. 2006
Sierra Leone	26 Sept. 2003	
Slovenia		23 Jan. 2007 ^a
South Africa	20 Sept. 2006	
Spain	13 April 2005	4 April 2006
Sweden	26 June 2003	14 Sept. 2005
Switzerland	25 June 2004	24 Sept. 2009
The former Yugoslav Republic of Macedonia	1 Sept. 2006	13 Feb. 2009
Timor-Leste	16 Sept. 2005	
Togo	15 Sept. 2005	
Turkey	14 Sept. 2005	
Ukraine	23 Sept. 2005	19 Sept. 2006
United Kingdom of Great Britain and Northern Ireland	26 June 2003	10 Dec. 2003
Uruguay	12 Jan. 2004	8 Dec. 2005

Note: The 50 States parties to the Optional Protocol do not include the 24 States having achieved signature or succession to signature, but not having achieved ratification of, or accession or succession, to the Optional Protocol.

Annex II

Members of the Subcommittee on Prevention of Torture

	<i>Expiration of term</i>
Mr. Mario Luis Coriolano	December 2012
Ms. Marija Definis Gojanović	December 2010
Mr. Malcolm Evans	December 2012
Mr. Emilio Ginés Santidrián	December 2010
Mr. Zdenek Hajek	December 2012
Mr. Zbigniew Lasocik	December 2012
Mr. Hans Draminsky Petersen	December 2010
Mr. Victor Manuel Rodriguez-Rescia	December 2012
Mr. Miguel Sarre Iguiniz	December 2010
Mr. Wilder Tayler Souto	December 2010

Mr. Victor Manuel Rodriguez-Rescia is the current President of the Subcommittee, with Messrs Coroliano and Petersen as Vice-Presidents, as from February 2009. From February 2007 to February 2009, Ms. Silvia Casale was President of the Subcommittee, with Messrs Petersen and Rodriguez-Rescia as Vice-Presidents.

Mr. Leopoldo Torres Boursault resigned on 18 February 2009 and was replaced by Mr. Emilio Ginés.

Ms. Silvia Casale resigned on 26 June 2009 and was replaced by Mr. Malcolm Evans.

Annex III

Visits carried out in 2009

I. First periodic visit to Paraguay: 10–16 March 2009

Places of deprivation of liberty visited by the delegation

Police facilities

- (a) Metropolitan police district (Asunción):

Police station No. 3

Police station No. 5

Police station No. 9

Police station No. 12

Police station No. 20

Special police unit for women

- (b) Central Department police district:

Police station No. 1, San Lorenzo

Police station No. 9, Limpio

- (c) Amambay Department police district:

Police station No. 3, Barrio Obrero, Pedro Juan Caballero

- (d) San Pedro Department police district:

Police station No. 8, San Estanislao

- (e) Special branch of the National Police, Asunción

Prisons

Tacumbú National Prison, Asunción

Pedro Juan Caballero Regional Prison

Other institutions

Asunción Neuropsychiatric hospital

II. First periodic visit to Honduras: 13–22 September 2009

Places of deprivation of liberty visited by the delegation

Police facilities

- (a) Metropolitan police district (Tegucigalpa):

Division No. 1

Division No. 3

Manchén district station

Kennedy district station

Headquarters of the National Criminal Investigation Directorate (DNIC)

(b) San Pedro Sula and environs:

Departmental Division No. 5, Choloma

Metropolitan Division 4-3

(c) Police premises of the “Cobras” squadron (not usually a place of detention)

Prisons

Marco Aurelio Soto Prison, Tegucigalpa

San Pedro Sula Prison

Juvenile facilities

Renaciendo Centre, Tegucigalpa

III. First periodic visit to Cambodia: 2–11 December 2009

Places of deprivation of liberty visited by the delegation

Police facilities

(a) Metropolitan police district (Phnom Penh):

Chamkamom district police inspectorate

Daun Penh district police inspectorate

Seven Makara district police inspectorate

Mean Chey district police inspectorate

(b) Pursat province:

Provincial police inspectorate

Municipal police inspectorate

(c) Kompong Cham province:

Cheung Prey district police inspectorate

Prisons

CC1 prison, Phnom Penh

CC3 prison, Kompong Cham province

Battambang provincial prison, Battambang province

Military facilities

Phnom Penh military prison

Prey Suay commune gendarmerie information office, Battambang province

Mong Russey district gendarmerie base, Battambang province

Bakan district gendarmerie base, Pursat province

Juvenile facilities

Chom Chao centre (under the Ministry of Social Affairs)

Other facilities

Battambang drug rehabilitation centre (under the Military police)

Battambang (Bovel) drug rehabilitation centre (under the provincial police)

Prey Speu centre (social welfare centre, under the Ministry of Social Affairs)

Annex IV

Programme of the work of the Subcommittee on Prevention of Torture in the field for 2010

First periodic visit to Bolivia:	(during 2010)
First periodic visit to Lebanon:	(during 2010)
First periodic visit to Liberia:	(during 2010)
In-country engagement activities with NPMs:	(during 2010)
Possible follow-up visit, country to be determined:	(during 2010)

Annex V

Participation of the members of the Subcommittee on Prevention of Torture in Optional Protocol-related activities – April 2009–March 2010

I. Africa

West African region

In-country engagement with the NPM of Benin, organized by APT. Cotonou, Benin, October 2009 (Mr. Hans Draminsky Petersen).

II. Americas

North American region

Workshop on enhancing cooperation between the Inter-American and the international human rights systems, organized by OHCHR National Institutions Unit and the Organization of American States (OAS). Washington D.C., USA, December 2009 (Mr. Mario Coriolano).

South American region

National seminar on the implementation of the Optional Protocol in Chile, organized by APT and the Ministry of Justice and the Ministry of Foreign Affairs of Chile. Santiago de Chile, Chile, August 2009 (Mr. Wilder Tayler Souto).

Seminar on health professionals and places of detention. Co-organized by Ministry of Justice of Buenos Aires province, ICRC, and La Plata University, La Plata, Argentina, 3–5 December 2009 (Mr. Mario Coriolano).

Two seminars and one round-table discussion in Chaco and Buenos Aires provinces and the Federal capital, respectively, in order to discuss the establishment of regional preventive mechanisms in Argentina. Organized by provincial authorities, the APT and other NGOs. 11 to 15 December 2009 (Mr. Wilder Tayler Souto).

III. Middle East and North Africa

Lebanon

Workshop on Optional Protocol implementation in Lebanon, organized by APT. Beirut, February 2010 (Mr. Hans Draminsky Petersen and Secretary of the Subcommittee, Mr. Patrice Gillibert).

IV. Europe

OSCE region

Roundtable on the establishment of an NPM in Kyrgyzstan, organized by OHCHR Regional Office jointly with APT and “Golos Svobody”. Bishkek, Kyrgyzstan, April 2009 (Mr. Zdenek Hajek and Ms. Marija Definis Gojanovic).

Seminar on Independent Detention Monitoring, organized by APT. Dushanbe, Tajikistan, May 2009 (Mr. Zdenek Hajek).

Activity under the Optional Protocol, organized by the Council of Europe. Astana, Kazakhstan, June 2009 (Mr. Zbigniew Lasocik).

Roundtable on the implementation of the Optional Protocol in Georgia and other meetings with officials, organized by Penal Reform International (PRI) Regional Office in Georgia. Tbilisi, Georgia, October 2009 (Mr. Zdenek Hajek and Ms. Marija Definis Gojanovic).

Event: “Instituting an NPM in Turkey under the Optional Protocol”, organized by APT and the Human Rights Centre of the University of Ankara. Ankara, Turkey, October 2009 (Mr. Zdenek Hajek).

Conference: “Legislative provisions for establishing NPM in Kazakhstan”, organized by Penal Reform International (PRI) Representative Office in Central Asia. Astana, Kazakhstan, February 2010 (Mr. Zdenek Hajek and Ms. Marija Definis Gojanovic).

Bosnia and Herzegovina

Roundtable on the design and development of an NPM for Bosnia and Herzegovina, organized by the OSCE Mission to Bosnia and Herzegovina. Sarajevo, October 2009 (Ms. Marija Definis Gojanovic).

Estonia

In-country engagement with the Estonian NPM, organized by APT. Estonia, September–October 2009 (Mr. Hans Draminsky Petersen and Mr. Zbigniew Lasocik).

Macedonia

High-level consultative session for establishment, implementation, functioning and challenges of NPM, organized by the OSCE Mission to Skopje. Skopje, September 2009 (Mr. Zdenek Hajek).

Two-day workshop on the prison/police system, organized by the OSCE Mission to Skopje. Skopje, October 2009 (Ms. Marija Definis Gojanovic).

Final high-level closing event, organized by the OSCE Mission to Skopje. Skopje, November 2009 (Mr. Zdenek Hajek and Ms. Marija Definis Gojanovic).

Montenegro

Workshop on NPMs, organized by OSCE. Podgorica, April 2009 (Ms. Marija Definis Gojanovic).

United Kingdom

High Level Roundtable on Prevention of Torture, and Roundtable meeting between the Subcommittee and the Committee on the Rights of Persons with Disabilities, organized by the University of Bristol. Bristol, May 2009 (Ms. Silvia Casale, Mr. Victor Rodriguez Rescia, and Secretary of the Subcommittee Mr. Patrice Gillibert).

Switzerland

Expert meeting on NPM Self-Assessment Tools, organized by APT. Geneva, 31 March 2009 (Messrs. Rodriguez Rescia, Petersen and Gillibert).

International and Regional Organizations.

V. OHCHR

Expert Consultation on Indicators for Promoting and Monitoring the Implementation of Human Rights, organized by OHCHR – Right to Development Unit, DESI Branch. Geneva, Switzerland, April–May 2009 (Mr. Hans Draminsky Petersen).

Preparatory meeting of Forum on Minority Issues, organized by OHCHR Forum on Minority Issues – Special Procedures Division. Geneva, Switzerland, July 2009 (Mr. Victor Rodriguez Rescia).

Forum on Minority Issues, organized by OHCHR Forum on Minority Issues – Special Procedures Division. Geneva, Switzerland, November 2009 (Mr. Victor Rodriguez Rescia).

VI. Council of Europe

Conference on new partnerships for torture prevention in Europe, organized by the European Committee for the Prevention of Torture (CPT) and APT. Strasbourg, France, November 2009 (Messrs Victor Rodriguez Rescia, Hans Draminsky Petersen, Zdenek Hajek, Mario Coriolano, Zbigniew Lasocik, Ms. Marija Definis Gojanovic, and Secretary of the Subcommittee, Mr. Patrice Gillibert).

First meeting of NPM contact persons, European NPM Project organized by the Council of Europe. Padua, Italy, January 2010 (Messrs. Hans Draminsky Petersen, Malcolm Evans and Secretary of the Subcommittee Mr. Patrice Gillibert).

First Thematic Workshop, European NPM Project, organized by the Council of Europe. Padua, Italy, March 2010 (Ms Marija Definis-Gojanovic and Mr. Victor Rodriguez Rescia).

VII. European Union

Presentation of the Subcommittee at a COHOM meeting. Working Party on Human Rights (COHOM) of the Council of the European Union, Brussels, Belgium, May 2009 (Mr. Zdenek Hajek).

Combined meeting and visit to a detention centre with a Chinese delegation, within the EU-China human rights dialogue, organized by the Czech EU Presidency. Czech Republic, May 2009 (Mr. Zdenek Hajek).

Meeting between European Commission Vice President Jacques Barrot and European States on supervision of detention centres, organized by the European Commission. Brussels, Belgium, December 2009 (Mr. Malcolm Evans).

Annex VI

OPCAT Contact Group

Amnesty International (AI)

Association for the Prevention of Torture (APT)

Bristol University OPCAT project

International Federation of Action by Christians for the Abolition of Torture (FIACAT)

Mental Disability Advocacy Centre (MDAC)

Penal Reform International (PRI)

Rehabilitation and Research Centre for Torture Victims (RCT)

World Organization against Torture (OMCT)

Annex VII

Information on country visit reports and follow-up as of 26 February 2010

<i>Country visited</i>	<i>Dates of the visit</i>	<i>Report sent</i>	<i>Report status</i>	<i>Response received</i>	<i>Response status</i>
Mauritius	8–18 October 2007	Yes	Confidential	Yes	Confidential
Maldives	10–17 December 2007	Yes	Public	No	-
Sweden	10–14 March 2008	Yes	Public	Yes	Public
Benin	17–26 May 2008	Yes	Confidential	No	-
Mexico	27 August– 12 September 2008	Yes	Confidential	No	-
Paraguay	10–16 March 2009	Yes	Confidential	No	-
Honduras	13–22 September 2009	Yes	Public	No	-
Cambodia	2–11 December 2009	No	-	-	-