



DSG/AG (P.C.)



MEMORANDUM INTERIEUR • INTEROFFICE MEMORANDUM

A: Mr. Jan Eliasson
TO: Deputy Secretary General

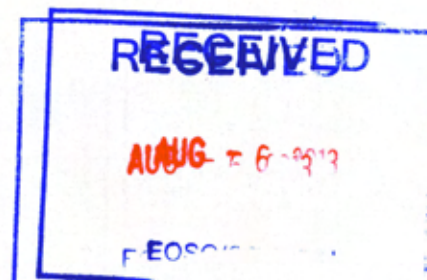
DATE: 31 July 2013

DE: Ms. Flavia Pansieri
FROM: Deputy High Commissioner for Human Rights

OBJET: Report of the Secretary-General on the activities of the Special Fund established by the
SUBJECT: Optional Protocol to the Convention against Torture to the General Assembly.

1. Attached for your information is the annual Report of the Secretary-General on the activities of the Special Fund established by the Optional Protocol to the Convention against Torture, submitted in accordance with General Assembly resolution 67/161.

2. In accordance with the General Assembly resolution 67/161, the report contains information on the activities and financial status of the Special Fund established by the Optional Protocol to the Convention against Torture in 2012-2013. This report is a routine annual document and does not contain any controversial information.



HR/04/001



General Assembly

Distr.: General
06 August 2013

Original: English

Sixty-eighth session

Item 69(a) of the provisional agenda*

**Promotion and protection of human rights:
implementation of human rights instruments**

Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Note by the Secretary-General

Summary

Information on the operations of the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

* A/68/31044

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I. Introduction

1. The present report was prepared in accordance with General Assembly resolution 67/161, in which it encouraged contributions to the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and requested the Secretary-General to report to the General Assembly on the operations of the Special Fund.

A. Mandate of the Special Fund

2. The Special Fund was established pursuant to article 26 of the Optional Protocol, to help finance the implementation of the recommendations made by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment following a visit to a State party to the Optional Protocol, as well as education programmes of national preventive mechanisms.

3. The Special Fund receives voluntary contributions from Governments, intergovernmental and non-governmental organizations and other private or public entities. An overview of contributions to the Special Fund to date is provided under section III of the present note.

B. Management of the Special Fund

4. The Special Fund is administered by the Office of the United Nations High Commissioner for Human Rights (OHCHR), in accordance with the Financial Regulations and Rules of the United Nations. As an interim scheme awaiting for the financial basis of the Fund to consolidate, the OHCHR Grants Committee, the advisory body to the United Nations High Commissioner for Human Rights, advises the High Commissioner on the eligibility of projects and awards of grants based on the evaluation criteria set out in the guidelines for applications for the project cycles 2012, 2013 and 2014. Plans are underway to review the current arrangements as of the project cycle 2015.

C. Eligibility criteria

5. Grant applications are eligible for projects aimed at implementing recommendations made by the Subcommittee on Prevention of Torture after a visit to a State party, provided these recommendations are contained in a report made public upon request by the State party. At present, seven countries - Benin, Brazil, Honduras, Maldives, Mexico, Paraguay and Sweden - fulfil this primary admissibility criterion. Applications may be submitted by State parties and their national preventive mechanisms (NPMs). In addition, applications may be submitted by national human rights institutions, which are compliant with the Paris Principles, and by non-governmental organizations (NGOs) if the proposed projects are implemented in cooperation with State parties and/or NPMs.

6. Besides, for each cycle, the Sub-Committee on Prevention of Torture identifies thematic priorities. As of the 2013 call for applications, thematic priorities were identified by country. In addition, projects addressing any other specific recommendation contained in the visit reports that detailed a pressing and compelling need can be considered.

II. Activities of the Special Fund

A. Call for applications 2012

7. The Special Fund became operational in July 2011, and the first call for applications was launched on 1 November 2011 for projects to be awarded and implemented in 2012. Under the call for applications for 2012, for which applicants could request grants of up to US\$20,000, 69 applications were received, out of which 25 were deemed admissible, i.e. submitted within the deadline and which met the eligibility criteria regarding publication of Subcommittee reports.¹ In accordance with the guidelines for applications, the secretariat of the Special Fund conducted an extensive evaluation of the 25 admissible projects, in the light of the thematic priorities identified by the Subcommittee and taking into consideration the outcome of informal consultations with members of the Subcommittee in February 2012. The evaluation process was carried out in close collaboration with OHCHR field presences, and field visits to eligible applicants were made by OHCHR or United Nations Development Programme staff.

8. Nine projects encompassing a wide range of activities, in accordance with the Subcommittee recommendations, that address the prevention of torture in Benin, Honduras, Maldives, Mexico and Paraguay, were approved, and grants were awarded for a total amount of US\$166,977. Details on the grants awarded can be found in the annex.

9. The remaining 16 projects were rejected by the Grants Committee for not meeting the selection criteria established by the guidelines for applications for 2012.

B. Call for applications 2013

10. The second call for applications to the Special Fund was published on 15 August 2012 and closed on 15 October 2012, for grants for projects to be implemented in 2013. For this call, thematic priorities per country were identified by the Subcommittee during its seventeenth session, held in Geneva from 18 to 22 June 2012.

11. Applicants could request grants of up to \$50,000 for project activities to be implemented in 2013.

12. A total of 34 applications were received, out of which 4 did not meet the primary eligibility criteria. The 30 admissible applications were for projects to be implemented in Benin, Brazil, Honduras, Maldives, Mexico and Paraguay.

13. In accordance with the guidelines for applications, the secretariat of the Special Fund conducted an extensive evaluation of the 30 project proposals in the light of the thematic priorities identified and taking into consideration the outcome of informal consultations with members of the Subcommittee in February 2013.

14. Eight grants were awarded to projects aimed at implementing recommendations made by the Sub-Committee in all six eligible countries, for a total of US\$ 277,588.78. Details on the grants awarded can be found in the annex.

15. The remaining project proposals did not meet the criteria set out in the guidelines for applications for 2013, including the thematic criteria, and were therefore not retained by the Grants Committee.

¹ At the time, applications were eligible for the following six countries: Benin, Honduras, Maldives, Mexico, Paraguay and Sweden.

C. Call for applications 2014

16. The next call for applications to the Special Fund for grants to be awarded for 2014 will be launched in August 2013.

III. Financial situation of the Special Fund

17. In 2012, the Fund received contributions for a total amount of US\$ 403,363. In 2013, as to the time of writing, it has received contributions for a total amount of US\$10,000. Further voluntary contributions are encouraged since the Special Fund is increasingly asserting itself as a valuable tool to assist States and national preventive mechanisms to take measures for the prevention of torture.

18. The table below shows the contributions received in 2012-2013.

Contributions received in 2012 and 2013

<i>Donors</i>	<i>Amount (United States dollars)</i>	<i>Date of receipt</i>
United Kingdom of Great Britain and Northern Ireland	158,227.85	21 March 2012
Czech Republic	10,219.56	17 December 2012
Switzerland	215,982.72	20 December 2012
Italy	18,932.47	21 December 2012
Argentina	10,000.00	14 February 2013

IV. Making a contribution

19. Contributions to the Special Fund may be accepted from Governments, intergovernmental or non-governmental organizations, private-sector organizations and the public at large, in accordance with the Financial Regulations and Rules of the United Nations. Only un-earmarked funds may be accepted.

20. Contributions to the Special Fund should always be marked "Payee: Special Fund established by the Optional Protocol to the Convention against Torture, account CH". Payments may be made either by bank transfer (a) in United States dollars to UNOG General Fund, account No. 485001802, J.P. Morgan Chase Bank, 270 Park Avenue, 43rd floor, New York, NY 10017, United States of America (Swift code: CHAS US 33; bank number: (ABA) 021000021; (b) in euros to the United Nations Office at Geneva, account No. 6161600934, J.P. Morgan Chase AG, Grueneweg 2 – 60322 Frankfurt am Main, Germany (Swift code: CHAS DE FX, bank number: (BLZ) 50110800, IBAN: DE78 5011 0800 6161 6009 34); (c) in pounds sterling to the United Nations Office at Geneva, account No. 23961903, J.P. Morgan Chase Bank, 25 London Wall, London EC2Y 5AJ, United Kingdom (Swift code: CHAS GB 2L, bank number: (SC) 609242, IBAN: GB68 CHAS 6092 4223 9619 03); (d) in Swiss francs to the United Nations Geneva General Fund, account No. 240-C0590160.0, UBS AG, rue du Rhône 8, case postale 2600, CH-1211 Geneva 2, Switzerland (Swift code: UBSW CH ZH 80A; bank number: 240; IBAN: CH92 0024 0240 C059 0160 0); (e) in other currencies to the United Nations Geneva General Fund, account No. 240-C0590160.1, UBS AG, rue du Rhône 8, case postale 2600, CH-1211 Geneva 2, Switzerland (Swift code: UBSW CH ZH 80A; bank number: 240; IBAN: CH65 0024 0240 C059 0160 1); (f) or by cheque payable to the United Nations,

addressed to Trésorerie, Nations Unies, Palais des Nations, CH-1211 Geneva 10, Switzerland.

21. Donors are requested to inform the Donor and External Relations Section of OHCHR when a payment has been made (including a copy of the bank transfer order or of the cheque) to facilitate effective follow-up on the official recording procedure and preparation of reports of the Secretary-General.

V. Recommendation

22. Governments, intergovernmental and non-governmental organizations and other private or public entities are strongly encouraged to contribute to the Special Fund, in order to provide it with the resources required to carry out its mandate.

Annex

Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: projects approved to date by the Office of the United Nations High Commissioner for Human Rights Grants Committee

Projects approved under the call for applications for 2012

	<i>Country</i>	<i>Project summary</i>	<i>Applicant</i>	<i>Grant amount (United States dollars)</i>
1.	Benin	The implementation of recommendations concerning juveniles in detention	World Organisation Against Torture (NGO) in partnership with Enfants Solidaires d'Afrique et du Monde (local NGO)	19 539
2.	Honduras	Training on human rights standards and prevention of torture for prison staff	Ministry of Justice and Human Rights	20 000
3.	Honduras	Technical support to the national preventive mechanism (NPM) in Honduras and training for judges, prosecutors and public defenders	Regional Office of the Association for the Prevention of Torture (APT) (NGO) in Panama	14 847
4.	Maldives	The notification of fundamental rights to foreign detainees in their local languages	Human Rights Commission of the Maldives (NPM)	13 200
5.	Maldives*	Strengthening the work of the NPM through the organization of a second National Dialogue on the Prevention of Torture	APT-Geneva (NGO) in partnership with the NPM	20 000
6.	Mexico	The provision of training on the use of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol)	Colectivo contra la Tortura y la Impunidad (NGO)	19 807
7.	Paraguay	The systematization of police records	Ministry of the Interior	19 984
8.	Paraguay	The design of fair-trial indicators allowing the monitoring of constitutional guarantees of lawful detention and the presumption of innocence	Supreme Court of Justice	20 000
9.	Paraguay	Support for the work of the national body in charge of the selection of the commissioners for the future NPM	Ministry of Justice and Labour	19 500
Total grants for 2012				166,977

* Project cancelled due to a political situation in Maldives.

Projects approved under the call for applications for 2013

<i>Country</i>	<i>Project summary</i>	<i>Applicant</i>	<i>Grant amount (United States dollars)</i>
1. Benin	The implementation of recommendations of the Sub-Committee concerning protection of children deprived of their liberty in Benin	World Organisation Against Torture (NGO) in partnership with Enfants Solidaires d'Afrique et du Monde (local NGO)	44,428
2. Brazil	Implementation Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatments or Punishments in Minas Gerais	Minas Gerais State Human Development Secretariat	47,712.50
3. Brazil	Rio de Janeiro state plan to prevent and combat Torture	State Preventive Mechanism of Rio de Janeiro	27,200
4. Honduras	Legal reform and support to the national preventive mechanism (NPM) in Honduras	Regional Office of the Association for the Prevention of Torture (APT) (NGO) in Panama	30,405
5. Maldives	Support NPM Maldives for effective implementation of SPT and NPM recommendations	Human Rights Commission of Maldives (National preventive Mechanism)	16,488.78
6. Mexico	Combating torture trainings for the Mexican judiciary in partnership with OHCHR, SPT members and key national justice institutions	International Bar Association Human Rights Institute (NGO)	46,855
7. Paraguay	Contribution to the development of public policies aimed at the prevention of torture and cruel, inhuman or degrading treatment within the purview of the judiciary	Supreme Court of Justice	34,230
8. Paraguay	Strengthening capacities on human rights of the Public Prosecutor	Training Centre of the Office of the Public Prosecutor	50,000
Total grants for 2013			277,589.38