

IRCT anti-torture advocacy at national level using United Nations mechanisms

Evaluation of how the IRCT supports local torture rehabilitation centres and creates national impact through advocacy with the State reviews by the United Nations' Committee Against Torture and Universal Periodic Review (UPR)

December 2020

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Executive summary

The present evaluation is an IRCT commissioned study by an independent consultant examining how IRCT advocacy at state level using United Nations mechanisms has impacted national implementation of the UN Convention against Torture and IRCT national members' role in national implementation dialogues.

In its work on individual country situations, the IRCT uses state reviews by the UN Committee against Torture (UNCAT) and the Human Rights Council's Universal Periodic Review (UPR) to push for concrete changes to the situation in the countries where IRCT members work. The IRCT Secretariat supports individual members to bring their priority issues to the attention of the UNCAT and UPR and advocate for strong and targeted recommendations to their states.

The evaluation was based on interviews with 15 IRCT members and background desk research on the human rights situation in the 15 countries in which they are based. The evaluation concludes that the IRCT's UN advocacy is highly relevant and creates significant results in three distinct areas.

IRCT members rated very highly the support provided by the IRCT Secretariat to their engagement with the UNCAT and UPR. The support was determined to be highly relevant and tailored to the needs of each member and resulted in very effective advocacy interventions and long-term learning by the individual members. All members report that most or all of their priority issues were addressed with strong and focused recommendations to their state. Members also reported a need for additional support and engagement in relation to post review implementation in their individual countries.

The UN recommendations that are generated by IRCT interventions are highly effective in helping IRCT members push forward their priority issues. Many of the countries surveyed showed several concrete improvements in anti-torture laws, policies and state practice, which members attributed in part to the pressure created by the UN recommendations.

IRCT members also report a number of other significant national developments that came out of their UN engagement. These include an increased focus on victims' rights and the value of health professionals and rehabilitation in anti-torture work; a stronger position for IRCT members in national human rights policy dialogues and stronger collaboration with other national civil society networks working on human rights and torture. Many IRCT members reported that they saw this as a very important and long-term positive development for their organisation and something that encouraged them to become more active in anti-torture advocacy.

Overall, the evaluation recommends that the IRCT tries to amplify the good practices identified in this process and increases its focus on supporting members with the national implementation efforts. This should be done through a combination of Secretariat support and facilitating sharing and collaboration between members.

Introduction

IRCT rehabilitation centres support torture survivors in 76 countries worldwide to rebuild their lives after torture. In addition, they advocate to make their national authorities take action to eradicate torture and ensure the rights of survivors. One of the ways they do that is through engaging with United Nations (UN) human rights monitoring mechanisms. When their State's human rights record is reviewed by the Committee Against Torture (CAT) and the Human Rights Council Universal Periodic Review (UPR), IRCT members advocate to make these mechanism issue recommendations that reinforce their national priorities. This puts pressure on the Government to act and thereby strengthens their national advocacy efforts. In addition, it contributes to building and reinforcing the global anti-torture norms and institutions.

The IRCT implements a programme where the International Secretariat and individual members work together to influence UN State reviews. In this partnership, members bring the national contextual knowledge and political priorities, and the International Secretariat brings the technical and political expertise required to effectively engage with UN institutions. The IRCT Secretariat decided to conduct a comprehensive internal evaluation of past five years of implementation of this work programme with the objective to strengthen and optimise its contribution to the partnership.

This study has two objectives 1) to evaluate the effectiveness of the support provided by IRCT Secretariat to IRCT members when participating in the State review at CAT/UPR and 2) to find out how their engagement with the CAT/UPR State review is helping them in their national advocacy work. The knowledge gained from this study will help IRCT to be more responsive to the needs of its members and help strengthen its work against torture globally.

Methodology

IRCT members that had participated in CAT/UPR within the last five years and received support from IRCT to do so were contacted, totalling 20. Out of these 20 centres, 15 responded and proceeded with an, on average, one-hour, semi-structured interview that contained a series of questions focused on the two main objectives of the study (see appendix 1). Interviews were transcribed and responses were grouped according to the overarching objectives. As the interviews were semi-structured, not all interviews answered all questions. A thematic analysis was conducted, taking care to illustrate the range of responses. Generalisations on advocacy impact could largely not be made because IRCT members work with survivors of torture in diverse settings and each country operates in vastly different ways.

The purpose of the evaluation was to obtain an unbiased assessment of how IRCT members experience the support they receive from the Secretariat and how they determine that this has helped with their UN and national advocacy. The research was conducted by a researcher hired by the IRCT Secretariat with guarantees that IRCT board and management would not interfere with the findings. This guarantee was upheld throughout the process. Due to the methodological limitations, the evaluation does not attempt to present a general conclusion on the IRCT's work in this area but rather focuses on analysing and highlighting good practices to be amplified, areas for improvement and additional opportunities identified within this area of work.

IRCT members interviewed

Asia

- Transcultural Psychosocial Organization (TPO) - Nepal
- Balay Rehabilitation Centre (Balay) - Philippines
- Medical Action Group (MAG) – Philippines

Europe

- Spiritan Asylum Services Initiative (Spirasi) - Ireland
- Rehabilitation Center for Torture Victims Memoria (RCTV Memoria) - Moldova
- International Aid Network Centre for Rehabilitation of Torture Victims (IAN) - Serbia
- Human Rights Foundation (HRFT) – Turkey

Latin America

- Instituto de Terapia e Investigación (ITEI) - Bolivia
- Centro de Salud Mental y Derechos Humanos (CINTRAS) - Chile
- Centro de Atención Psicosocial (CAPS) - Colombia
- Colectivo contra la Tortura y la Impunidad (CCTI) - Mexico

MENA

- Restart Center for rehabilitation of victims of violence and torture (Restart) – Lebanon

Sub-Sahara Africa

- Prisoners Rehabilitation and Welfare Action (PRAWA) - Nigeria
- Centre for the Study of Violence and Reconciliation (CSV) - South Africa
- African Centre for Treatment and Rehabilitation of Torture Victims (ACTV) - Uganda

The Consultant would like to thank all the IRCT members and Secretariat staff interviewed for their open and generous sharing of experiences in anti-torture advocacy over the past five years.

SECTION ONE: IRCT Secretariat support to IRCT members

The State reviews conducted by the UNCAT and the UPR are important opportunities for IRCT members to influence national policy discussions to be more favourable to their anti-torture agenda. To support this, the IRCT Secretariat offers a comprehensive package of support to its members to advocate in relation to UNCAT and UPR reviews. Through their advocacy IRCT members can ensure that these UN mechanisms issue strong and focused recommendations that reinforce the member's national advocacy work. The type of support provided by IRCT Secretariat is tailored to the specific review and needs of each member centre but can generally be divided into three phases: pre-review, during the review at the UN in Geneva, and post-review support. This section of the report evaluates the effectiveness of the support provided by IRCT Secretariat to its members.

“Advocacy is a really important part of the job, just as working directly with survivors of torture; this is why the UPR came into our consideration.” (TPO, Nepal)

All centres interviewed stated that the support from the IRCT Secretariat to engage with the UNCAT and UPR was highly useful. Comments reflected how important rapport and partnership between IRCT Secretariat, and the member centre was for them. These included the IRCT Secretariat being accommodating to the members' needs; helping with the technical challenges of submitting reports; members feeling empowered and not forced; feeling mentored; and feeling that IRCT was dependable throughout the process. Such qualities may not necessarily be accessible in other large international non-governmental organisations (NGOs) yet are essential for working internationally across different cultures, languages and time zones.

Many IRCT members stated that this was their *first* time participating in UN state reviews and indicated that IRCT Secretariat support was essential for their participation. Without the technical, substantive, financial or logistical assistance, some member centers would, or could, not have been able to engage. Critically, some IRCT members discussed how they work on issues that are not addressed by any other organisation within their state. Therefore, without their presence in the UN state review, fundamental human rights would not be addressed.

“The first time in the CAT review, the issue of rehabilitation was included in the agenda. Previously, Memoria hadn't worked on legal interventions, or legal frameworks or prevention.” (Memoria, Moldova)

1.1. Pre-review support in-country

Prior to the review, the IRCT Secretariat works with members to identify key priorities and recommendations to their State and compile effective, efficient and convincing evidence-based advocacy materials. They also help the members in preparing the logistics and advocacy strategy for Geneva and beyond.

All IRCT members interviewed expressed very positive feedback regarding the pre-review support provided by IRCT Secretariat.

“The support from IRCT is not only during the review but it’s also on the ground, and so it starts with that. IRCT provided technical support, advising us on what to focus on and we were able to tweak the report based on that. Asger (IRCT Advocacy Director) is very specific, “don’t go beyond this number of pages, as Committee members won’t read it”. (Balay, Philippines)

1.1.1. Strategy development

Strategy is key to effective advocacy work - delivering the right message, to the right people, at the right time. Interviews with members revealed this as an area where IRCT Secretariat support has been essential to their efforts to improve.

From the initial contact, where the IRCT Secretariat informs members about the UN review, members report receiving detailed sparring and support on a broad range of issues. These include:

- 1) Determining if and how this opportunity can help them promote prevention of torture, justice and rehabilitation for victims in the national policy agenda;
- 2) Developing an advocacy plan for how to prepare, engage and follow up on the review;
- 3) How to develop effective written advocacy materials and oral briefings; and
- 4) Decision-maker mapping and engagement strategies and coalition building.

Members highlight this support as essential to their effective participation since most individual members were constrained by lack of resources, time and lack of in-house specialised advocacy expertise to lead this on their own.

Finally, many interviewees noted how beneficial this pre-review period had been for building coalitions and partnerships. The opportunity of coming together with other NGOs for structured sessions at tables grouped according to thematic areas resulted in information sharing and establishing concrete outputs in preparation for the review. Importantly, these sessions developed synergies between organisations working on cross-cutting issues including gender-based violence.

1.1.2. Trainings and workshops

Interviewees report multiple different pre-review capacity building approaches being applied by the IRCT Secretariat according to the individual member centre’s specific needs and resources. Some interviewees who received online or in person training workshops on UN engagement from the IRCT Secretariat rated these very positively focusing on how they help them get a more practical understanding of how to engage with the UN. Most training focused on how to write a good alternative report and lobby at the UN but some also focused on helping State officials better understand the process they were about to go through. Interviewees provided three examples that they considered good practice:

- 1) Presentation by another member centre of their experience advocating at the UN to help the member centre relate and know what to expect;
- 2) Analysis of the national anti-torture law based on three emblematic torture cases to demonstrate where the key shortcomings were; and

- 3) Conducting a mock State review with the participating member centre and State representatives.

In many instances, the trainings were opened to non-IRCT members to facilitate national coalition building and collaboration.

1.1.3. Preparing the NGO UN report

The majority of members identified support in the preparation of the report for the State review as pivotal in their UN experience. This included assistance on gathering data/information, editing and submitting. Based on feedback, it became evident that members needed and welcomed the expert technical and substantive assistance by IRCT Secretariat. Examples ranged from learning to include recommendations in the NGO report (members had even expressed shock that the Committee Against Torture had taken their recommendations word-for-word, which is beneficial due to the standard and specificity of the recommendations); conceptualising policy gaps and challenges; identifying priorities for the report; applying anti-torture law to torture cases to ‘test’ its effectiveness and report on this; writing in language “palatable” for the UN; writing relevant background information; analysing data from the Anti-Torture Database; incorporating statistics and illustrating impact, in particular, giving weight to the mental and physical health consequences of torture; and overall maximising the effectiveness of the report. There were also IRCT members with more experience, thus requiring less support in preparing the report. On these terms, they appreciated IRCT being respectful of the organisational or coalition processes and adjusting support accordingly.

1.1.4. Leveraging IRCT membership

When preparing a report for UNCAT or UPR, IRCT members often promote the IRCT’s involvement in the report as a co-author to increase its credibility. This is a good example of how members strategically use their IRCT membership and at the same time strengthen the global IRCT movement. Balay in the Philippines highlighted how writing the report with IRCT helps them gain credibility in a very difficult policy environment due to IRCT being an international movement.

1.1.5. Areas for improvement by IRCT

Interviewees made no critique of the pre-review support received. However, the consultant observes that considering the information gathered from the *post-review* period, IRCT members may benefit from support to lobby embassies pre-review. Additionally, IRCT should help ensure that there is adequate time in the preparation phase for such lobbying to take place. Finally, IRCT should increase its focus on linking members with in-country UN agencies to create an early stronger foundation promoting implementation of recommendations.

1.2 Review support at the UN

At the UN CAT/UPR State review in Geneva, the IRCT Secretariat accompanies a representative from the member centre throughout their time, usually 3-5 working days. The support by IRCT here entails scheduling meetings with diplomats and UNCAT experts; continuous support and mentoring on how to conduct effective oral briefings; accompanying

members to meetings; debriefing after all meetings reflecting on what went well and where to improve; and financial assistance to travel and stay in Geneva.

Member centre representative/s found the support by IRCT in this procedure very positive. Moreover, participation in the review was described as both individually and organisationally beneficial. The following were key findings.

1.2.1. Mentorship

Member centre representatives reflected very positively on the mentorship provided by IRCT throughout their time in Geneva, described by one as “holding their hand”. Guidance by IRCT included tips and background information on how the procedures work. IRCT also helped members draft, translate, rehearse and execute briefings with delegates and Committee members. This enabled confident delivery and effective outcomes of the meetings. PRAWA in Nigeria stated that this mentorship was relevant for them when presenting at the UPR pre-session, a forum where they increased visibility on torture and of PRAWA as an organisation.

Member centre representatives appreciated how IRCT provided feedback on their strengths and weaknesses after each lobby meeting, which helped them develop their advocacy skills. In many cases, member centre representatives have used these new skills in their national advocacy work. This supports the IRCT’s working theory that UN advocacy is a good learning space for aspiring national human rights advocates.

1.2.2. Networking

Members commented that the IRCT was a facilitator for introductions, ‘sharing contacts’ of people they had access to and increasing networking opportunities. Interviewees’ found this support beneficial and effective, not merely during the review but also for future engagements.

1.2.3. Targeted and timely strategy execution

Targeted and timely strategy execution was perceived positively by interviewees and as an area where members gained practical learning. Importantly, both interviewees that had and had not previously been to Geneva, described the development of the advocacy strategy with IRCT as a participatory process. It was evident that the IRCT Secretariat worked effectively with members to overcome various challenges, in particular the limitations of time. The three following quotes capture the strategy and some challenges.

“The strategy involved looking at what recommendations they made last time, what issues do they lean towards, what are their priorities. Our strategy was very targeted, and this made it much easier in the room - they really supported us and paid attention. We owe the success of having our 5 recommendations raised to the IRCT’s support with targeting advocacy, rather than shooting in the dark.” (CSVR, South Africa)

“During the meetings in Geneva, we had 5 points to raise with representatives, but we only had enough time to raise 1 or 2 points, so we tailored the message depending on the State we were meeting with. For example, when meeting with Argentina and Uruguay we raised the Truth Commission as they both have experience with them.” (ITEI, Bolivia)

“Latin Americans like to talk a lot, so it was learning how we can sum up our information, such complex information, into a 5-minute speech, and 1 report. We had wrongly assumed that the members in Geneva had more time than they did.” (CCTI, Mexico)

1.2.4. Logistical support

IRCT arranges all logistics for members to participate in the UN State reviews for the week in Geneva, including accommodation, meetings, transportation and events. By removing these elements, members can focus on advocacy substance. Interviewees appreciated this support because it allowed them to be well prepared and focus on the substance of their work.

1.2.5. Financial assistance

Financial assistance provided by IRCT for members to be physically present in Geneva was frequently noted as an important element of support. For many, the financial assistance was imperative for participation as without it, they could not afford to go. CAPS in Colombia explained that they partake in the review as a part of a coalition but representation in Geneva simply depends on who has the money to go. When IRCT supported them to go, their priority issues received more focus in the recommendations from the UNCAT.

Participation in Geneva by national anti-torture organisations is essential for their issues to be addressed with the focus and detail necessary to build a foundation for national advocacy. Many interviewees observed that without their presence, advocacy for torture survivors and prevention of torture would be absent and thereby not likely to go on top of the national policy agenda.

“We cannot go to the UN without the support of IRCT. We are given the funds and leeway to do with it as we need. This means we can focus on the things that truly matter to us” (Balay, Philippines)

“We were the only representatives from Serbian NGOs in the session that day.” (IAN, Serbia)

“We were the only organisation working with torture at the UPR meetings in Geneva.” (CSV, South Africa)

1.2.6. Empowerment

Interviewees reflected more broadly on their experience in Geneva and the value added to their advocacy and rehabilitation work. Multiple responses indicated that the experience was empowering, especially learning that NGO engagement is vital. For some, it was a way to ensure that factual and representative information was being imparted to the international community and that they could hold their State accountable.

“The NGO hearing in Geneva was the most interesting, personally and professionally. In my imagination, I thought these 10 committee members knew everything about torture, about every country. But in reality it is not like that at all. You have to inform them about your country and the situation of torture and ill-treatment. They need that information from me! I also realised not all members are orientated towards the right

to rehabilitation so you need to lobby to include your issues in the concluding observations.” (IAN, Serbia)

“When we come from civil society, we typically tend to think that State representatives are inaccessible. Going to Geneva it was very exciting to find out that when we set up a meeting with them, they not only show up but they listen and care about what we say! This really matters.” (CSVR, South Africa)

1.2.7. Areas for improvement by IRCT

There were some processes in Geneva that seemed more participatory than others. For example, planning the lobby strategy was participatory between IRCT and the member centre and proved highly effective in cases where the advocacy capacity of the individual benefited (expressed by individuals adopting similar strategies back home). The area that was least participatory was in arranging logistics for the week in Geneva, including scheduling lobby meetings. Whilst the majority expressed positivity or neutrality towards this, one member centre indicated that they would have liked more involvement, as it would be an opportunity to build capacity in this regard. Thus, in future, IRCT should consult with members on their expectations for involvement in the logistical planning.

1.3 Post-review support in-country

When IRCT members finalise their lobbying and return home, the UNCAT/UPR recommendations will become public within 2-6 weeks. They provide key national policy guidance for how to fight against torture in the coming years and thereby become key reference points in IRCT’s national advocacy work.

In the post review period (typically 3-5 years) the IRCT supports members by helping them strategise on how to use the recommendations to promote national change and through concrete interventions to promote implementation of specific recommendations.

Follow-up on UN recommendations and incorporating them into domestic advocacy is the most difficult part of the entire cycle and this is where IRCT members have identified a need for further support. Overall, interviewees report that the IRCT’s support has positive results but they also propose a series of areas for improving support in this critical phase.

1.3.1. Good practices

There are some members that have been involved in ongoing IRCT initiatives on data collection through IRCT’s Anti-Torture Database and developing indicators on national implementation. They identified these initiatives as useful in helping them monitor and implement various UN recommendations. With data gained from the Anti-Torture Database, gaps have been identified and members used this information to inform their work. ACTV in Uganda for example, used the data to 1) identify that the Office of Public Prosecutors required training 2) advocate for the right to rehabilitation to the Ministry of Health and 3) collect data on ACTV treatment impact with torture victims to support their advocacy to the State on why they should prioritise prevention and ratify OPCAT.

The indicator initiative has been used by ACTV, Uganda, CSV, South Africa and CCTI, Mexico to follow up on and implement UN recommendations. Importantly, it is facilitating collaborations with Governmental offices, such as the Attorney General in Mexico and the Department of Social Development in South Africa. It is noteworthy that the indicator initiative specifically focuses on the right to rehabilitation. ACTV in Uganda reported that this Project had helped them methodically pick up each UN recommendation, map out key stakeholders, plan a lobby strategy and begin engagement. The initiative is also facilitating dialogue with Governments, other institutions and the OHCHR in areas that cross-over such as the NPMs.

PRAWA in Nigeria was very appreciative of the support provided by the IRCT and particularly highlighted the support provided in relation to long term follow up and engagement. The PRAWA representative first noted that the IRCT had helped them to develop a structured template for how to monitor and follow up UPR recommendations issued in 2014. Now the IRCT works with PRAWA to provide technical support for government agencies and panels tasked to deal with the SARS scandal.

“This is the type of high expertise and readily available support that we need to be able to make a difference in our countries.”

1.3.2. Areas for improvement by IRCT

Many (seven out of 15) interviewees expressed that they would like more support from IRCT in this area. Suggestions included:

- Improve communication between IRCT and member centre, in particular, clarify expectations
- Periodic engagement by IRCT throughout the reporting cycle (every 6 months for example)
- Strategic help with lobbying embassies
- Systematic monitoring tool for UN recommendations
- Information-sharing amongst IRCT members

Many organisations raised resource and capacity limitations as affecting their ability to execute and monitor their advocacy strategies, exposing gaps where opportunities are being lost. With resources stretched, knowledge of infrastructure that could assist their efforts should be paramount. Centre representatives were also questioned about other resources and supports. Coalitions were the most prominent source of support along with the OHCHR and embassies.

“It would be useful to have a written document on how to do follow-up in-country. Up to now, it has been based on our intuition, but we have lacked strategy and preparation. It would be useful to have a very simple template, with specific questions to help guide which strategy we could take.” (CCTI, Mexico)

“What I see as what could be improved is in the months after the review. Maybe help with looking for funds to sustain this work on recommendations. In between the reviews, we should be looking for opportunities to share amongst the centres, learn what we could be doing better, and learning from each other what could be used.” (PRAWA, Nigeria)

SECTION TWO: NATIONAL IMPACT

At the national level, IRCT members advocate for survivors' right to rehabilitation, better documentation and investigation of torture cases and a diverse range of context specific initiatives. The IRCT's annual results monitoring offers extensive documentation of how IRCT involvement in UNCAT and UPR State reviews create immediate outcomes in the form of recommendations that address IRCT priority issues with increased detail and relevance. When their priority issues are turned into UN recommendations, it increases their legitimacy and relevance, which creates a stronger platform for IRCT members to pursue national change

All 15 members interviewed stated that engagement with UN reporting procedures of CAT and/or UPR *had* assisted their national advocacy. IRCT's results monitoring and member surveys also indicates that in the medium and long term, participation in UNCAT and UPR reviews is a very effective way for members to achieve their national advocacy objectives. It helps them secure adoption of new anti-torture laws and policies, strengthen collaboration with the Government on implementation and build stronger civil society networks. This section aims to get a more comprehensive and detailed overview of how IRCT member engagement with the UNCAT and UPR has directly and indirectly impacted their national advocacy in order to guide improvement and prioritisation in this work moving forward.

Advocacy targeting systemic change, means striving to change complex political and administrative systems. This has three implications for the following analysis: 1) change is often incremental and can take a long time to fully materialise; 2) There are often many actors involved in creating change and due to the opaqueness of many national decision processes it is difficult to establish unique causal relationships between individual actions and the result; 3) political changes may result in positive developments stopping or being rolled back. For the purpose of this evaluation, the consultant has based the findings on cross-referencing available written documentation with the the assessment of IRCT members as to whether UN recommendations played a positive role in bringing about specific elements of national change.

2.1 Improving laws and policies

“Prevention of torture is our main agenda. There is a clear link between rehabilitation, truth and justice. If you can't get justice, you often can't heal.” (HRFT, Turkey)

IRCT members often promote the adoption or improvement to national anti-torture laws and policies because they are central to achieving sustainable progress in the fight against torture. Interviewees report that UNCAT and UPR reviews are highly effective in creating change in this area. The following provides an overview and illustrative case examples of how IRCT members utilise the UN reporting cycles to gradually improve the national legal and policy framework against torture.

2.1.1 Overview of States where Members report law and policy adoption

Below is a list of law and policy changes that IRCT Members report as results from their engagement with UNCAT and the UPR.

| Law or Policy | State |
|--|---|
| Anti-torture Laws | Uganda, Chile, Mexico, Nigeria, Philippines, Serbia, Lebanon and Moldova |
| Truth Commission | Bolivia |
| Fundamental legal safeguards | Lebanon |
| OPCAT ratification and National Preventive Mechanisms (NPMs) established | South Africa, Mexico, Chile, Lebanon, Bolivia and the Philippines (only OPCAT ratification) |
| Other laws that prevent torture and protect victims - | Nigeria (the Correctional Service Act 2019; Administration of Criminal Justice Act 2015; Force Order 20, Police Act 2020) |

2.1.2 Case studies

The following provides three examples that demonstrate how members have progressively utilised the UN State review system to further their national advocacy objectives.

Uganda: Anti-torture laws & regulations

In Uganda, ACTV described the achievements they've had with State and non-state actors as a result of UN engagement. Uganda adopted their anti-torture law in 2012, (the Prevention and Prohibition of Torture Act, PPTA 2012) following successful ACTV advocacy to secure UPR recommendations on the issue in 2011. However, the law remained ineffective because no regulations needed to ensure implementation of the law were adopted. In the following UPR review of Uganda in 2016, ACTV raised this issue and secured a series of recommendations on the subject. ACTV then partnered with the Ugandan Human Rights Commission to lobby the Ministry of Justice and in 2017 the regulations were adopted. Since then, ACTV have also developed guidelines on implementation, and used the Act as the basis to be invited to train Police officers, Public Prosecutors and other institutional staff responsible for documenting and investigating torture. Throughout the process, ACTV generated significant public support by notifying the media, social media, the radio, and high levels of Parliament about their actions.

Bolivia: Establishing a Truth Commission to address past human rights violations

In 2014, ITEI in Bolivia successfully advocated for a UPR recommendation for Bolivia to establish a Truth Commission to investigate the human rights violations during the dictatorship, from 1964 to 1982. Bolivia accepted the recommendations and to follow up ITEI used it to bring national civil society organisations and the OHCHR together to advance its implementation. In 2017, a Truth Commission was established but its implementation revealed significant shortcomings in complying with international standards. The Commission, which was also a Reparation Commission, saw its functions restricted without the power to formulate recommendations for reparation tasks, including financial compensation the State would have to pay. The Truth Commission in Bolivia illustrates deep-seated challenges for the realisation

of human rights in States where Governments fear or corroborate with military. ITEI raised the flawed implementation during the 2019 UPR review of Bolivia and secured updated recommendations, which they are now pushing the Government to implement.

Lebanon: Improving fundamental legal safeguards

In Lebanon, UNCAT recommendations resulted in amendments to the criminal procedure code providing stronger legal safeguards for persons in detention. Following the 2017 UNCAT review, IRCT member Restart in Lebanon took the UNCAT recommendations and developed four green papers with road maps to be included in the State's plan on how to implement the recommendations. They focused on complaints in detention; legal safeguards; the NPM; and the definition of torture. Restart then conducted workshops with the Ministry of Justice and Ministry of Social Affairs and involving UN experts and other NGOs.

With continued advocacy by Restart, Lebanon made amendments to their Code of Criminal Procedure on fundamental legal safeguards for detainees. Moreover, Restart has worked with the Ministry of Justice to establish a medical centre that conducts medical examinations of detainees, enabling the judiciary to detect all cases that might constitute torture. They have also worked together to develop a guide for Lebanese forensic pathologists containing legal norms and code of ethics.

2.2 Promoting implementation of IRCT priority issues

Following up UN recommendations at the national level requires long-term engagement by civil society advocates who push the State to continue advancing on human rights. Once new laws and policies have been adopted, they need to be implemented by relevant government agencies.

IRCT members frequently use UNCAT and UPR recommendations as a platform to facilitate collaboration with State agencies on their key priority issues. IRCT members generally observed that UNCAT and UPR recommendations were very helpful for pushing their State to engage since it was clear to government officials that “the world is watching”. The following provides illustrative examples of how IRCT members used UN recommendations for this type of change.

2.2.1. Promoting rehabilitation and documentation in Mexico

In Mexico, IRCT member CCTI participated in UNCAT in 2014 and again in 2019 together with their coalition. CCTI is the only organisation in their 80-member coalition that specialises in the treatment of torture survivors and the only national independent expert provider of Medico-Legal Reports (MLRs). They have focused their advocacy on improving the quality of the State rehabilitation programme available to torture victims and on ensuring that torture evidence collected by civil society actors can be admitted in court.

Through their UN advocacy they have already secured better legislation and policies. On this basis, they are now working with the government to improve the processes for collecting torture evidence and to improve the support provided to victims by the State level victims support units. CCTI reflects on other implications from this, observing that recently they have received

so many requests from State medical institutions requesting MLRs that there is now a waiting list.

CCTI have also observed the Government requesting more training from experts on documentation of torture. Further, CCTI also notes that the UN reporting helped them be integrated in the core working group to design the NPM, in particular drafting the section on the Istanbul Protocol. This has greater impact for CCTI, providing a sense of organisational confidence and stability, particularly relevant for sustainability of their non-profit NGO.

2.2.2. Improving documentation and investigation of torture in Uganda

Following years of lobbying, the 2016 UPR review of Uganda finally created a momentum for ACTV to engage directly with the government agencies that they consider key to eradicating torture in Uganda. On the basis of UPR recommendations and strong public lobbying, ACTV managed to initiate training for police officers and public prosecutors on their responsibilities under the national anti-torture act. A direct result of this engagement is the public announcement by the Public Prosecutor of Uganda that all torture allegations will be investigated and prosecuted. This is an essential development in moving forward the anti-torture agenda in Uganda.

2.2.3. Improving rehabilitation in Ireland

In Ireland, Spirasi observes that the last UPR recommendations on rehabilitation continue to be very helpful to address important aspect in the fight against torture.. The Government in Ireland is responsible for dispersing asylum seekers and refugees to remote places making access to rehabilitation impossible. After dialogue at the UN on this issue, Spirasi has followed up in-country with the Government to find ways that the issue can be addressed. Moreover, Spirasi incorporated the recommendations and invited key decision makers to the launch of their strategic plan. After advocating and gaining recognition that they are the sole providers of torture rehabilitation and medico-legal reports state-wide, Spirasi subsequently received additional funding to deliver their treatment services.

Spirasi continues to monitor and influence decision-making on early identification of torture victims by contributing expertise to the Governmental Working Group on improvements to the protection process for asylum seekers and refugees.

2.3 Impact on civil society

In addition to the concrete changes to laws, policies and State implementation outlined above, many IRCT members also reported a number of other positive results to come out of their UN engagement. This final section outlines these results.

2.3.1. Leveraging the authority of the United Nations

With the UN State review procedure being an international mechanism, members reflected on the various ways they have found the additional authority useful in their advocacy. This was both on substantive advocacy targets but also for international relations, including gaining access to embassies and Government bodies in-country. Although, with the exception of Lebanon, this had only led to minor benefits such as the use of the embassy office for meetings.

For HRFT in Turkey, a significant benefit of participating in UN state reviews is gaining access to international actors, which is highly useful in their work back in Turkey.

Both PRAWA in Nigeria and ITEI in Bolivia commented that the international instrument had given them a broad reference point beyond localisation. They felt that when the UN recommended something, it gave the issue more weight. When advocating in-country, it wasn't simply PRAWA or ITEI promoting their priorities but that they were backed by the UN. They found this had greater influence and was more authoritative than NGOs working in-country. As ITEI noted, this helped especially in public communications and with journalists as they take it more seriously.

“In Mexico, this international support has been very important. The backing from international organisations for example, has been useful when we have tried to contact the National Commission for Human Rights, they wouldn't respond to us. Once we mentioned that we were a part of IRCT, they responded. This has been especially helpful in the south of Mexico, where the situation can be very bad between Government and NGOs, so we use our backing with international organisations for communications.” (CCTI, Mexico)

IRCT members also report using their international affiliation for example, with IRCT, OMCT and Médecins Sans Frontières (Doctors Without Borders) to enhance impressions of legitimacy and open communication channels.

2.3.2. Enhanced legitimacy of national civil society

Members report that presence at the UN and subsequent national advocacy tied to UN recommendations has enhanced their visibility and legitimacy and increased focus on the traumatising effects that torture has on victims and the need to provide rehabilitation. These effects have a positive impact on how their work and their organisation is viewed by State actors and other civil society organisations.

IRCT member have gained direct access to their Governments as a result of UN advocacy leading to rich opportunities for them to influence and educate State actors in relation to the right to rehabilitation and the Istanbul Protocol. IRCT member conducted strategic manoeuvring, such as inviting their network, including coalitions, NHRIs, and international actors from SPT and CAT, to forge engagement from the government on, for example, the NPM, thematic concerns, or on implementation of monitoring tools. IRCT members have also made media releases and press conferences in their follow-up, which in some cases, was televised, naturally gaining them exposure. This was not only confined to immediate follow-up but was also used later in campaigns such as June 26th International Day in Support of Victims of Torture.

IRCT members reported that their UN engagement had led to their Governments referencing their organisation in spoken or written public communications and inviting them to participate in meetings and working groups focused on implementation. Similarly, more mainstream human rights organisations had started including them more in their coordination processes and had started focusing more on victims' trauma and their need for rehabilitation. Further, UN advocacy engagement has also validated organisations statistics on torture to the Government

and public, helping to guarantee factual evidence is reported and documented. This demonstrates how the UN can help with trust building between the State and civil society.

“The Ministry of Justice was in charge of establishing this (the NPM) and they have always referenced CSVr in their communications and they have also quoted some UN recommendations. This has had a further effect of ensuring continued engagement with them. They cite what we have said before and when they are making amendments. It is always a positive impact.” (CSVr, South Africa)

2.3.3. Stronger collaboration between civil society actors

Improved civil society collaboration was a common theme amongst those interviewed and participation in UN State reporting. Purposes for collaborating included for information sharing, pressuring government, safety, stretching resources and capacity building.

IRCT members spoke about collaboration with others CSOs increasing in the pre-review period, uniting to share information and to determine priorities. Spirasi in Ireland collaborated with the Irish Refugee Council for the UNCAT review, dividing issues between them to maximise time and make efficient arguments.

The collaboration wasn't confined to this period. For example, ITEI in Bolivia said they are staying in contact with organisations they met in the pre-review session to exchange information collaborate on reporting to other UN human rights mechanisms. Spirasi has partnered again with the Irish Refugee Council since the UNCAT review to deliver mutual team training - Spirasi delivered training in trauma, their area of expertise, and received training by the Irish Refugee Council in advocacy. This synergy has continued, for example when the Minister of Children asked the Irish Refugee Council about developing a vulnerability assessment, they contacted Spirasi for their expert input.

In the post-review period, CSOs were collaborating to monitor and implement the recommendations. ACTV in Uganda worked with their national coalition, which ACTV is the chair of, to operationalise the anti-torture law, a UN recommendation. Whereas IAN in Serbia engaged with other NGOs to split the responsibility of monitoring implementation of UN recommendations between them. They also work together on changing the definition of torture in Serbia.

CCTI reflected on the significant impact UNCAT has had on the coordination of NGOs in Mexico. Since the review, a sub-group of 15-20 organisations has formed from their 80-member coalition. These organisations focus specifically on international advocacy and are in active dialogue with the Secretary of Foreign Affairs. The group supports one-another and when an important issue arises, they gather together and plan the best way forward. CCTI feel it has strengthened them as a whole due to the high degree of coordination. Moreover, this has impacted their dialogue with Government, whereby due to their powerful presence, the Government are pressured to include them in decision-making.

It is evident that CSO collaboration is strategic, not merely coordinating pressure to bring about change but also stretching resources and for safety. UN state reviews create a momentum

strengthening this collaboration due to the requirement for coordinated State-wide efforts. Similarly to CCTI, CINTRAS in Chile spoke about organisations coming together only for specific reasons (such as writing the UPR shadow report) due to CSOs being chronically underfunded. Moreover, for members in Moldova, Colombia and Philippines they collaborate with CSOs due to their Governments being non-cooperative and threatening their safety. They also have found safety through their IRCT membership due to international networks being well respected.

“Prior to the UPR review we met with many human rights organizations. Thematic tables were established with computers and a questionnaire. The tables are separated accordingly, for example on women, children, prisoners, etc. The questionnaire was useful and it also helps to reflect and add new elements. The organizers then collated the information, analyzed it and sent it out to the participating organizations; NGOs responded with input to this. It was a process of information sharing and establishing concrete outputs in preparation for the review. Now we are implementing the workshop structure into our own organization.” (ITEL, Bolivia)

2.3.4. Stronger funding proposals

IRCT members have used UN recommendations to secure funding and projects in their priority areas. In Serbia, post UN CAT review, IAN was successful in securing two projects with the European Instrument for Democracy and Human Rights (EIDHR). One of these was at the local level and the other at the international level. At the local level, IAN and EIDHR worked with State and non-State actors on implementation of UN recommendations. The international project saw IAN establish the first rehabilitation centre for torture survivors in Macedonia. Throughout the process, IAN has experienced benefits by engaging in capacity building with Macedonian staff on training and writing alternative reports to the UN.

Spirasi, in Ireland were successful in utilising UN recommendations to access funding for deliverance of their programs and therapies. In accordance with Spirasi’s recommendation made to UN CAT on child and adolescent victims of torture, the Irish Government subsequently funded them to provide regional family therapy groups. They also gained funding to hire one additional physician.

“Our involvement with CAT/UPR has also helped us access relevant funding for torture victims. We have a local project in the Philippines with the EU, called GOJUST. It is here to help improve the human rights situation in the country. But this only resonates with the impact from the previous UN report. Impact for victims will take time.” (Balay, Philippines)

2.4 Key challenges for IRCT members’ anti-torture advocacy

Human rights advocacy on the protection and prevention against torture and promotion of the rights for torture survivors is highly demanding. Throughout the interviews, members discussed challenges related to their work. Some of these challenges are external to IRCT influence, however there were others that related to capacity, skills, and knowledge within

IRCTs scope. Thus, feedback in this section informs IRCT on areas that require improvement and where greater support is needed.

2.4.1. Defining the advocacy strategy

IRCT members are primarily health-based rehabilitation providers, and do not often have staff that is trained in advocacy. The evaluator found that without support, methods and means employed for advocacy tactics were creative but often lacked formal structure. Few of them had a comprehensive written advocacy strategy guiding their work at national, regional and global level. Members discussed how they had used the recommendations to guide their work with survivors of torture, and in initiatives with regional bodies, for example PRAWA, Nigeria base their initiatives with the African Commission on Human and People's Rights on the UN recommendations, and this has helped form their forward moving strategies. Similarly, CSVR in South Africa is collaborating with the NHRI to develop a longer-term integrated strategy.

“The Human Rights Commission of South Africa make their own report to the UN and we are trying to work with them especially regarding follow-up procedures. We are trying to link follow-up to Early Action Plans and developing a 3-4 year strategy.” (CSV, South Africa)

There were other members who struggled to define their advocacy strategy. For CCTI in Mexico, their strategy was based on intuition and lacked formal preparation and planning. Some members observed that their lack of formalised advocacy strategy combined with the absence of a State plan for implementing UN recommendations created a vacuum that made it difficult to move forward. Where there was absence of strategy, this was typically accorded not to lack of interest or need, but instead, to resources.

“Spirasi doesn't have an advocacy strategy. It is not an in-built part of the organisation, and it is our weak part. Spirasi has access to key stakeholders and we're looking at our next strategic plan, making advocacy a priority and survivors are a big part of this.” (Spirasi, Ireland)

2.4.2. Public awareness

IRCT members used the UN platform as an opportunity to raise awareness on torture practices, State obligations, and victim's rights to the national public. Balay in the Philippines reflected how this is important as it raises awareness of the general population and the international community on the human rights situation and violations in the Philippines. Moreover, Balay felt that this was a way for victims and their families voices to be heard, a small step towards justice and recognition of the wrongs done to them.

CINTRAS in Chile and ITEI in Bolivia both commented on the difficulties of reaching the public with their advocacy. CINTRAS have observed a change in public awareness towards torture and other first-generation human rights, however noted that UN CAT recommendations are not discussed in mass media. Likewise, ITEI identified reaching the public with their advocacy as a key challenge, commenting that UN processes too often do not go beyond the human rights circle. ITEI identified this as a barrier for success and advised that we must bridge the gap between the public, lawyers and politicians, for example.

“Support for NGOs has plummeted in the last years. We participate as human rights organisations on specific callings, for example on days of commemoration, or our in the street advocacy on days like June 26th.”
(CINTRAS, Chile)

2.4.3. Maintaining momentum between reviews

“There is a big build up to the review, but everywhere goes quiet after the UPR. The states will make the recommendations, the government will accept them but then there is nothing. There is no system in place.” (PRAWA, Nigeria)

Both ITEI, Bolivia and PRAWA, Nigeria discussed a phenomenon whereby in the lead up to the UN State review, activity amongst stakeholders culminates yet in post-review, a lack of structural measures in place to implement them thwarts their potential. Implementation tools are methods and instruments for applying and tracking UN recommendations in-country thereby assisting follow-up activities. When members were asked to reflect on implementation tools, they or their State had available, varied responses were recorded. There were no consistent methods for implementation, contributing to a lost momentum in the post-review period.

In Chile, CINTRAS identified human rights departments in several governmental ministries responsible for ensuring compliance, amongst these is the National Human Rights Institute. There are also special commissions in Chile’s legislative power who have tools to monitor compliance. In the Philippines, they have a method in place - a National Human Rights Action Plan - however, the State had not made it clear to civil society who was the responsible monitoring body. Similarly, TPO in Nepal stated they had tracking methods in existence however there was no identification of who was responsible for monitoring. CCTI in Mexico have taken a lead in their country, collaborating with the Government and devising methodologies for the development of a database to facilitate actors’ ability to track implementation status. However, significant obstacles have arisen due to attention directed towards COVID-19 and priorities turned elsewhere.

Other interviewees identified their organisation as a monitoring mechanism for implementation, such as IAN in Serbia who worked on implementation and tracking with their partners in a project funded by the EIDHR. CSVR in South Africa who identified the IRCT Indicator Project as a tool assisting their efforts. Lastly, there were interviewees who were not aware of any implementation mechanism or tool used by the State or other actors.

Additional factors causing disruption to advocacy momentum were:

- 1) Changes in Governments - Nepal, Mexico, Philippines and Serbia identified that previous successful negotiations suffered when government administration changed, altering dynamics and space for collaboration between CSOs and State; and
- 2) Lack of funds, with Nigeria and Lebanon both identifying this as key. After realising that the National Human Rights Commission were unable to design a State tracking tool on their own, PRAWA pulled stakeholders together. Similar to CCTI in Mexico, PRAWA worked on developing a database to keep track of the UPR recommendations. They had planned on conducting a series of consultations annually to track their status

and identify gaps. After the initial meeting where PRAWA gathered the Commission, CSOs, key government agencies, including the Attorney General and relevant ministers to discuss, it has since been discontinued due to lack of funds.

2.4.4. Monitoring and evaluation of advocacy impact

Beyond monitoring, the final phase of an advocacy process is the measurement of progress towards the objective. In many cases, tangible progress was made, as seen in the passing of laws and policies. There was also progress that was less easily measured, such as strengthening of coalitions and government relations. However, across the board, members expressed significant difficulties regarding their capacity and/or practices for monitoring and evaluating (M&E) their advocacy impact.

Some member centre did not have an advocacy monitoring and evaluation impact mechanism in their organisation or were in the preliminary stages of developing one. Reasons for the absence was a lack of resources, including financial and technical. One identified IRCTs Anti-Torture Database (ATD) as their M&E mechanism, a database used by torture rehabilitation centres to document cases of torture. Another identified collaborating with an organisation to exchange skills and receive advocacy training and another has started registering the processes and topics they're engaging with and giving attention to. One centre conducted M&E with assistance of the EU GOJUST Project, although at present, this simply includes measuring the number of media engagements featuring the organisation.

“The impact of human rights violations cannot be squeezed into “project language”- we have hundreds of human rights defenders with their rights violated, we have had trials against our staff, one was imprisoned for 6 months. The Ministry of Interior perpetrates violence against peaceful protesters and then says that the actions were justifiable, they are not respecting anything. So how do you have an indication framework? We apply to courts, we have produced 87 MLRs in the last years, we have had 50 people in court. Cases have been postponed, but who can say that there is no positive impact?” (HRFT, Turkey)

The above quote from HRFT in Turkey, resonated in other responses too, whereby members found it difficult to articulate how they measure advocacy impact. Voiced as an area of weakness within their organisations, interviewees welcomed and encouraged help from IRCT on this.

The IRCT should take the knowledge gained from this evaluation to establish a plan moving forward to better support members on implementation, monitoring and evaluation of UN advocacy at the national level.

Conclusion

Overall, the consultant found that the IRCT has a clear and logical strategy for its engagement with UN human rights mechanisms, which is particularly noteworthy for its strong focus on the potential for each intervention to create national change in the lives of torture victims and those at risk of torture.

The feedback provided by interviewees indicate that the support provided by the IRCT Secretariat is highly relevant and tailored to their needs. It helps them to conduct effective advocacy at the UN with a minimal investment of human resources because the IRCT Secretariat provides all the expertise and support necessary for members to be able to focus on the national human rights issues that they wish to change.

This was renowned at the pre-review and review stage of the procedure. Members continue to apply knowledge or skills learnt from this time. CSVR in South Africa draw upon their experience of the UPR process when engaging in policy document writing with the Gambian civil society on transitional justice. Other members discussed how generally they felt more prepared going into the second State review based on having prior experience with IRCTs support. For ITEI in Bolivia, familiarity with the process encouraged them to lead other human rights organisations through the process, coordinating pre-review and review collaboration. This shows how members have made various extensions of UN advocacy, stretching the benefits to their maximum. Many interviewees also report that the engagement at the UN was empowering for them as organisations and individuals:

“The experience of being in Geneva, in the face-to-face sessions with members of UNCAT, with the official delegation of the State and hear the versions presented by the official entities and the civil society organizations, allows us to contrast and have a different view on relevant subjects to us and the ones we represent. The possibility of narrating the situations from the view of the suffering actors and from our professional practice of service to torture survivors and victims of human right violations, put us in a privilege position. Therefore, is a situation of tremendous responsibility.” (CINTRAS, Chile)

The area of support requiring most improvement from IRCT was in the post-review stage. It is a highly challenging period where UN recommendations must be operationalised. Members are navigating these obstacles but would like more support from IRCT, in particular, with increased advocacy material resources, expert input on developing strategic advocacy and greater member-to-member advocacy communication.

Interviews and background research also revealed that strong UN recommendations are highly effective in helping IRCT members push forward their priority issues. Many of the countries surveyed showed several concrete improvements that were directly linked to the recommendations promoted by the IRCT.

In addition to the expected impact areas, the consultants also observed that for IRCT members, engagement with the UN has a number of additional benefits including:

- a. An overall increased focus on victims' rights, the value of health professionals in anti-torture work and the issue of rehabilitation becoming more accepted and included as a priority in national policy dialogues.
- b. IRCT members strengthening their position in the national civil society and political arena and therefore being more centrally placed in law and policy making processes.
- c. Increased focus and acceptance of the importance of realising torture victims' rights and needs and the role of rehabilitation therein.
- d. IRCT members develop stronger collaboration and take a more central role in national civil society networks working on human rights and torture.

Finally, the consultant found that for many IRCT members, the regular participation in UN human rights reviews had become an important method for regular stocktaking of the broader human rights situation in their country. A time to look more holistically at the human rights situation. The procedure was a way to "take stock", requiring centres to look into the past at recommendations, gathering information from survivors and using different methods to analyse the best way to progress forwards. Where organisational procedures of the like do not exist, this is an important exercise in creating systemic change.

The IRCT and its members work in precarious situations around the world, yet their impact on the global fight against torture is astounding.

Appendix 1: Semi-structured interview questions

Q1a) Has your engagement with CAT/UPR helped you in your national advocacy work against torture? If so, how?

Q1b) How have the views and experiences of torture survivors been included in this process?

Q2 What specific things did you or are you planning to do to follow up on your UN engagement, including formal and informal follow-up procedures?

Q3a) What specific policies/laws have changed?

Q3b) Are there other changes that are not fact-based/objective such as impacts observed based on judgement and are subjective?

Q4 Does your state have or use implementation tools for UN recommendations?

Q5 How do you monitor and evaluate your advocacy impact? If you do not, how would you do so?

Q6 Was the support provided by IRCT Secretariat to the IRCT Centre in/effective? Please describe the pre-review, during the review, and post-review support you received, how it was effective and what needs improvement?

Q7. What do you think was the most interesting thing about your UN advocacy experience?