

A N N U A L R E P O R T

97

Torture respects

neither creed

nor ideology



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OMCT

OPERATING THE SOS-TORTURE NETWORK

List of OMCT Contributors

a) Non governmental

Donations

Caritas (*Geneva, Switzerland*)
CCFD (*France*)
Fondation de France (*France*)
Diakonisches Werk (*Germany*)
Fondation Misereor (*Germany*)
Novib (*Holland*)
Trocaire (*Eire*)
Wilde Ganzen (*Holland*)

b) Governmental

Donations

European Community
Swiss Confederation
Denmark
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c) Cantons and Communes of Switzerland

• Cantons

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La Chaux-de-Fonds

Le Sentier

Les Bois

Lucerne

Martigny

Meyrin

Monthey

Montreux

Muensingen

Olten

Plan-les-Ouates

Prilly

Pully

Rüschlikon

Schlieren

Thônex

Troinex

Uznach

Vevey

Yverdon

Zoug

d) 100 Club and Individuals



“...an organisation that works
with so little but so dedicated staff”

Novib

NOVIB feasibility study 1997



The Vision

There will be no end to torture without a dynamic and empowered national civil society. National human rights problems will not be solved in London, Paris or New York. The OMCT network is about national empowerment to end torture. Most of the network operate on limited means and have little freedom to operate as organisations based in the North. Combining technology with human rights and an emphasis on sound management practice, OMCT is fighting to ensure that reliable information originating from the South and East is given equal access to decision making centres of power, based in the North.

Why a Network ?

A **network** means initiation, verification and action decided by the network member. A flattened democratic organisational structure puts decisions into the hands of those best placed to take them: national NGOs!

A **network** structure allows urgent information from all over the world to be strategically delivered to decision makers at great speed and minimal cost. The approach of OMCT is a network. The programmes of OMCT derive their strength and results from this basic structure.

The core aims of OMCT depend on exploiting the possibilities of Information Technology. To facilitate and empower an effective network

OMCT is today the worlds largest network of human rights organisations. Nearly 200 members of the network, non governmental organisations, mainly based in the south are testament to this approach.

200 members can today access, through the OMCT communication network, 90,000 institutions, groups and individuals across some 140 countries, involved in the struggle against torture.

A donation to the International Secretariat is about investing in empowerment of national human rights organisations.



The Vision

“Exploiting the possibilities of information technology to facilitate and empower an effective network”

In fall 1997, in recognition of its work, OMCT was invited to join Amnesty International, and Lancashire University (UK) to co-organise a workshop for the European Parliament on Internet and Human Rights to be held in January 1998.

The lead up to this project has been the distribution of a survey on the Internet and human rights. The aim of the survey is to get information from the human rights movement on the impact of the Internet on their human rights work. The information gathered will be used to inform debate in the European Parliament.

Within 10 days of its distribution over 260 responses were recorded - an indication of the relevance of the study and the active nature of the network.



The Urgent appeals Programme.....p. 9

The Children's Programmep. 17

The Violence against Women's Programme.....p.29

The Direct Assistance to Victims of Torture Programme.....p.35

The Observatory of Human Rights Defendersp. 43

The Training and Capacity Building Programme.....p.48

Torture Respects neither Creed nor Ideology



The Appeals Programme



The Appeals Programme

José PINEDA an indigenous Mexican peasant leader was abducted on Friday 27th June 1997, by four armed persons driving a white all terrain vehicle. He was taken away while trying to encourage other members of the indigenous communities to take part in an upcoming election.

The Latin American Federation of Associations of Families of Disappeared Detainees (FEDEFAM) and members of the network dispatched a single fax to OMCT, calling for action. A few short hours later that message had been dispatched to some 90,000 organisations, bodies across the globe.

On 21st July 1997, José PINEDA was released. The threats on the lives of Jose Pineda and his family remain, but he is alive.

If there were no network for national human rights groups to get their urgent message across, no one to spread the word, one wonders at the fate of José Pineda.

The OMCT network is a service for national human rights organisations to get their message across. With nearly 200 members, OMCT is today the world's largest network of human rights organisations.



Delivering Results Globally

In 1997, the Network issued 337 interventions in 57 countries in favour of several thousands of women, men and children.

Long term statistics show a 20% resolution of cases.

More detailed results on pages 14-15

"... immeasurable contribution"

The Director of ex Zaire Human Rights group AZADHO describing the contribution of OMCT to the escape of the group from ex Zaire after the fall of Mobuto.



The Appeals Programme



Rising to the Challenge

A Global Network Challenge

When somebody is threatened by torture the urgent information has to reach bodies capable of meaningful intervention. Fast
Torture is perpetrated all over the world, never in a convenient location. The logistical complications and expense for a single organisation would be enormous and inevitably generate bureaucracy. The only solution is a network.

A Global Network Solution

Members of a global network, based in the field, document the abuses and communicate the information to the International Secretariat.

The International Secretariat of the OMCT network translates, decides on appropriate strategy and distributes the information.

200 members can today access, through the OMCT communication network, 90,000 institutions, groups and individuals across some 140 countries involved in the struggle against torture.

Urgent information will be distributed in less than 24 hours.



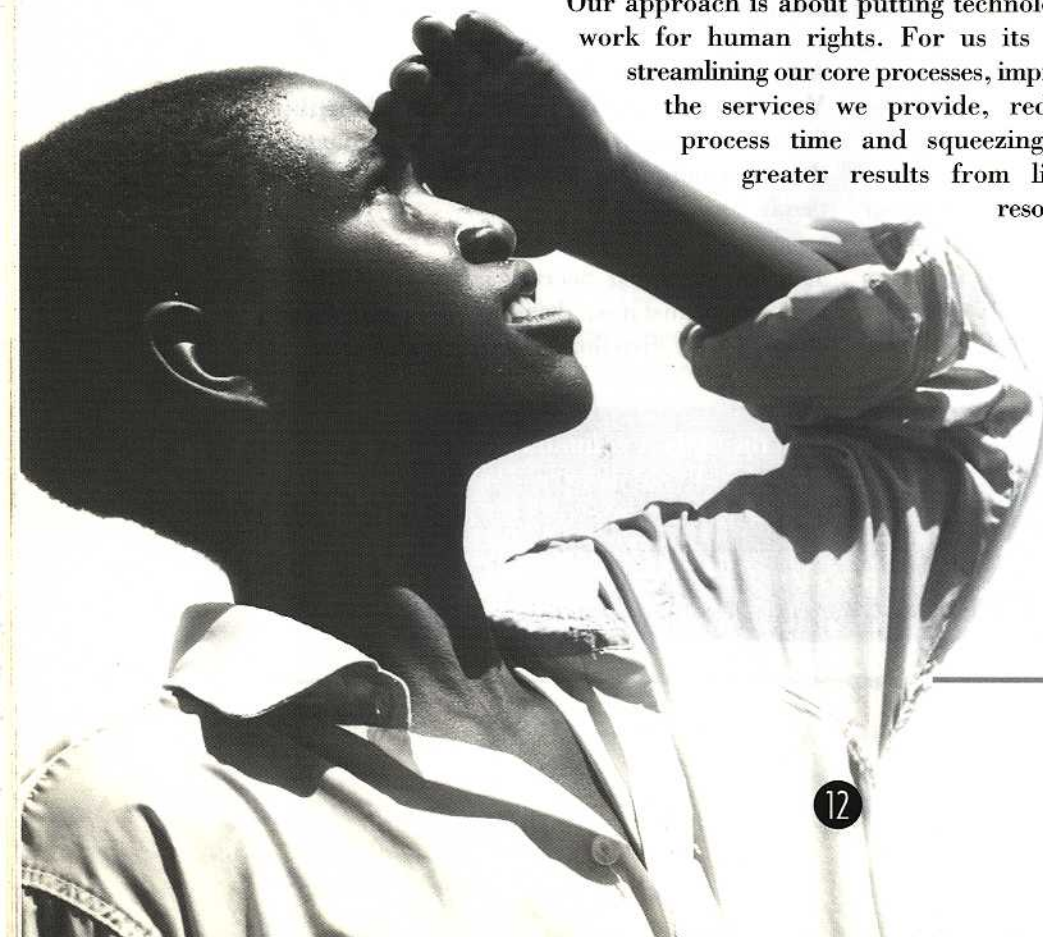
The Appeals Programme

Getting More from Less

The primary role of the programme simple: to stop immediate threats of torture. This section deals with how we go about getting things done - the means.

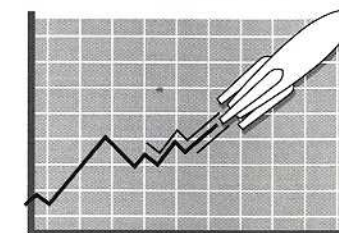
The means - getting urgent information to people who can intervene and put a stop to torture.

Our approach is about putting technology to work for human rights. For us its about streamlining our core processes, improving the services we provide, reducing process time and squeezing ever greater results from limited resources.



The Appeals Programme

"you are the pioneers of the Internet"
The opinion of a senior member of the officer
for the High Commissioner for Human Rights



More Information Faster

OMCT has prioritised the development of its Email potential in 1997 -E-mail is inherently faster than other forms of communication.

organisation, going directly into their mailbox, avoiding time wasting bureaucracy.

Tools for action.

Because it arrives in a convenient format in your computer it is suited for further processing, forwarding and archival. Equally it can be targeted at the decision maker in the

Email is the cheapest form of communication and makes information easier to handle. Time is saved, paperwork is reduced and finally more lives saved.

In 1997, the 200 members have access, through the communication network, to 90,000 institutions, groups and individuals in 140 countries involved in the struggle against torture. Clearly, more information faster.



The Appeals Programme

Country	Number of Appeals	# of Appeals Concerning Children	# of Children Involved	# of Appeals Human Rights Defenders	# of Human Rights Defenders	# of Appeals "Violence against Women"	# of Women Involved	Torture	Torture in Detention
Algeria	2			2	1				
Azerbaijan	1			1	1				
Bahrain	13	7	300					7	
Bangladesh	8	1	2			4	2		
Belarus	1			1	1				
Bhutan	1								
Bolivia	3			2	1			1	
Brazil	1								
Burundi	1	1	75						
Cameroon	1			1	1				
China/Tibet	1								
Columbia	20	1	1	12	29				
Dem. Rep. of Congo	3			2	4			2	
Cuba	2								
Egypt	7			2	1			11	
Ethiopia	1			1	1				
Guatemala	13	2	2	5	12		1	3	3
Honduras	7	6	10	1	1	2	1		
India	8	1	3	2	1			5	
Indonesia	2			1	1			1	1
Indonesia/Ti	23	1	3					11	7
Iran (Isl. Rep)	1					1	1	1	
Israel	12	6	17					3	
Malaysia	2			1					
Morocco	1			1	4				
Mexico	40	6	19	11	28	2	3	4	10
Myanmar	1								
Nepal	3	1	1					4	1
Nicaragua	1								
Nigeria	1								
Pakistan	2	1	1					2	
Palestine	11			1	1			1	1
Peru	4			2	7				
Philippines	15	4	9	3	9			4	5
Rwanda	1								
Sudan	19			1	1	2	37	1	65
Swaziland	1								
Syria	2			2	7				5
Tunisia	12			3	2	7	3	2	2
Turkey	11			9	37				
Yemen	1			1	1				
Total	260	38	443	68	152	18	47	42	120



Statistics*

Arrests and Detention	Deaths in Detention	Deaths under Torture	Deaths including Massacres	Extra-judicial Executions	Disappearances	Ill Treatment and/or Injuries	Ill Treatment in Detention	Threats
21						1		
533	1	1				5	6	1
8	1				6	12	2	
						1		1
10								
26			10			38		1
		1						
			36			39		
1								
1								
18			13	10	5	2		68
4							1	1
1					1			
23	2	1				2	1	2
				1				
3		3	4	8	1	4	1	13
5		1	3	5		4	1	1
7			9	10	2			2
3								1
180				1	15	5		1
1						1		
17	1		1	1		30		
4							4	1
300						301		
67	1	6	25	2	30	54	34	25
1					1			
13							1	
3						31		
1						1		
3								
7		3	1			4		
1			2					7
2				4	2	5		9
201		1		1	27	37		
4								
2							1	
4						1	1	6
26						1		3
						1		1
1 501	6	17	104	43	90	580	53	144



Torture Respects neither Creed nor Ideology



Children's Programme





Children's Programme

In December of 1995, 12 children were detained with adults in the Comayagua Jail in Honduras. The children were hung by their wrists on the wall and beaten.

Following a long campaign by OMCT and the members of the network, in July 1997, Mr Aquilino Sorto the Director of the Prison was transferred to an administrative position away from the prison. The children are now detained in a centre for children.

He will have no opportunity to torture children again, and finally the way lies open for a prosecution.

Prevention and Protection



Children's Programme

The concept of torture is more than difficult for most people to accept. The torture of children, even for many organisations dealing with children, remains largely taboo.

As the statistics on urgent appeals (pages 14-15) show, torture is a terrible fact of life for too many children. Because we as a society are ill prepared to contemplate the torture of children, protection where it exists, is inadequate and takes little or no account of the special status of children. Children suffer more than adults. They need special protection.

In 1991, at the General Assembly of OMCT, the overwhelming message from the members of the network was that children need better protection from torture. From the demands of our network, the programme was born.





Children's Programme

Strategies in Defence of Children

Protection from the Immediate Threat of Torture

Children who are threatened by torture will benefit from an urgent appeals programme specific to their needs. Children threatened by torture benefit from a long established network with the capacity and expertise to intervene effectively. (For more information see pages 9-15)

OMCT continues to be the only international network specifically protecting children from torture

Prevention of Torture: Country Reports

OMCT advocates for long term change through reports to the UN Committee on the Rights of the Child. The success of these reports draw on 10 years of effective lobbying at the other UN committees.



Raising Awareness:

Many organisations even some working in children's rights are unable to accept that child torture exists. Through publications, intervention at conferences and all available fora, OMCT is bringing about change.

Researching Solutions:

Drawing from both its preventative work - the country reports and its caseload from its urgent appeals OMCT has been able to identify and demonstrate weaknesses in the system of protection for children and is lobbying for change

Direct Assistance to Child Victims of Torture

OMCT provides immediate assistance to child victims of torture as part of its assistance to victims of torture programme



Children's Programme

Country Reports Aiming for Prevention



In its reports on children's rights, OMCT aims to analyse national law in terms of the international commitments that a government has made - for example, in some countries families are not informed when their child is detained and this situation removes a precious safeguard against abuse. The absence of such safeguards facilitate situations where the torture of children can and does occur.

In other words, the reports aim to point out where, often unknowingly, legislation facilitates grave abuses of children. The legal analysis is supported, where possible, by real cases, docu-

One testimony of the very real value of OMCT reports from Jordan demonstrating that they are concrete preventative documents.

mented by OMCT. The cases give real meaning and urgency to the legal analysis. The reports are not legal semantics for their own sake: they include meaningful and realisable recommendations for legislative reform to better protect children's rights.

The reports are presented to the United Nations Committee on the Rights of the Child who use them to analyse how well a country is undertaking its international commitments with regards to children. Their recommendations on the issue of torture, drawing from the OMCT report, send a strong message from the international community with regard to national legislative reform.



Children's Programme

Results

The recommendations of the United Nations Committee on the Rights of the Child on torture, summary execution, disappearances, poor conditions of detention suffered by children send a very strong message to national governments. This preventative work is the most direct and effective action currently available to the international system.

OMCT has been invited to attend the private sessions of the Committee on each occasion that it has produced a report and present its findings - an indication of the strength of the research.

UNICEF now distributes the OMCT reports at the national level ensuring increasing awareness of the issues.



Children's Programme

Raising Awareness

Raising awareness of the incidence of child torture is central to OMCT's strategy. Even groups working in Child rights are often unaware of child torture. Putting the fight against child torture at the centre of the child rights movement is the goal.

Results in 1997:

In 1997, UNICEF began, distributing OMCT children's appeals to their national level offices.

In 1997, UNICEF requested OMCT to advise it on appropriate sections of an upcoming implementation guide on the Convention on the Rights of the Child.

Nations and the Austrian Government the Director of OMCT was invited to contribute to an experts meeting on a manual on Juvenile Justice at the beginning of 1997.

In recognition of its ground breaking work in children's rights in 1997, OMCT was invited to join the board of the NGO Co-ordinating Committee - the coalition of international non-governmental organisations work-

ing with the United Nations Convention on the Rights of the Child.

At the invitation of the Secretary General of the United



Children's Programme



Mrs Daoud¹ the victim of two attempted kidnappings and a bomb explosion (leaving her seriously injured and fearing for her life) was driven to leave Algeria. She was also forced to leave her daughter behind.

During 1997, OMCT was requested to facilitate the transport of a scared and upset little girl of three from Algeria to France to join her mother. A time limited travel visa issued by the government gave us little time to react. Speed was crucial for a resolution of the case.

Thanks to the OMCT network, in the Summer of 1997, some two years after their separation, mother and child were reunited. We understand that the mental state of the little girl has improved dramatically.

The Power of a Network

1 - Name changed



Children's Programme

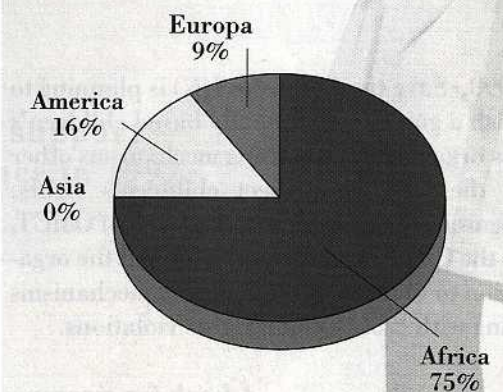
The Children's Programme, as part of its holistic approach, has a small fund for direct assistance to child victims of torture. The project draws from the success of the Victims of Torture Project and its unique approach can be found on pages 35-42.

In 1997 OMCT extended urgent assistance to children in the following continents.

The Number of children by continent

Africa.....	42
Asia.....	0
America.....	9
Europa.....	5
Total	56

Children assisted by continent





Children's Programme

Empowering Children's Networks - a Training Manual

The Children's Committee is only the beginning

The Convention on the Rights of the Child is only part of the international human rights system. Many other mechanisms exist to protect human rights. Long experience has shown that only sustained pressure from all angles and use of all available mechanisms can bring about meaningful change.

Save the Children

In 1998, Save the Children (UK) is planning to publish a guide for nationally based children's rights organisations on using mechanisms other than the CRC to protect children's rights. Recognising the ground breaking work of OMCT, Save the Children (UK) has requested the organisation to write the section on UN mechanisms dealing with gross human rights violations.

This publication will be distributed to a vast network of nationally based children's groups - groups who previously had no idea of what to do when faced by grave violations. Another clear success for awareness building.

A book for awareness, action and change.

OMCT would like
to extend its thanks to

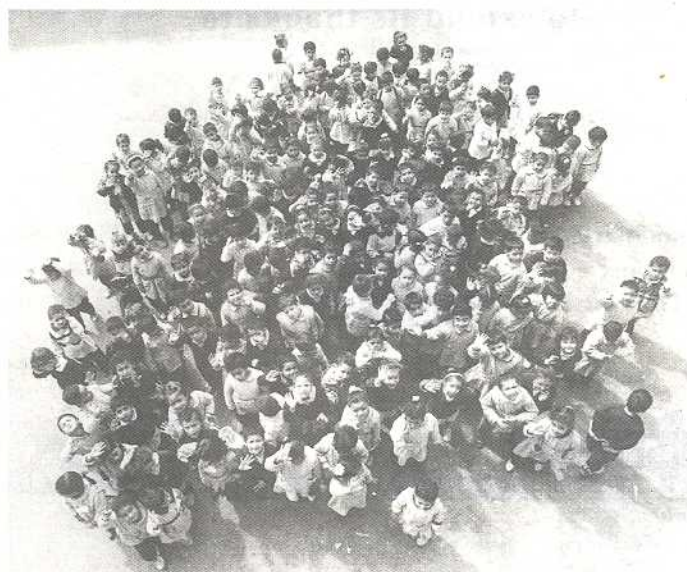
FONDATION
DE
FRANCE

BISCHÖFliches HILFswerk
MISEREOR e.V.
MISEREOR
AKTION GEGEN HUNGER
UND KRANKHEIT
IN DER WELT



MUNICIPALITÉ DE LAUSANNE

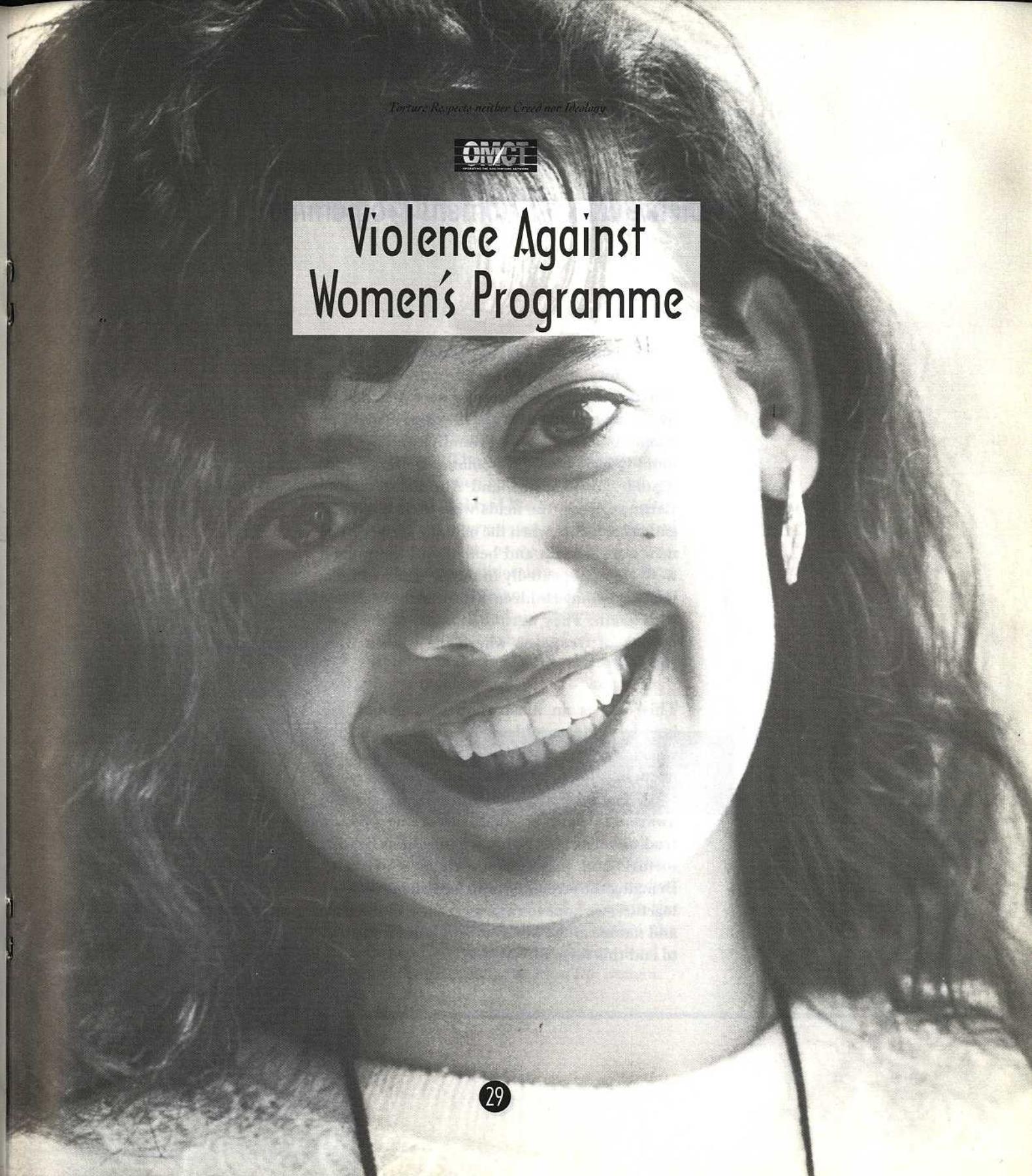
For their support
and confidence in 1997.



Torture: Respects neither Creed nor Ideology



Violence Against Women's Programme

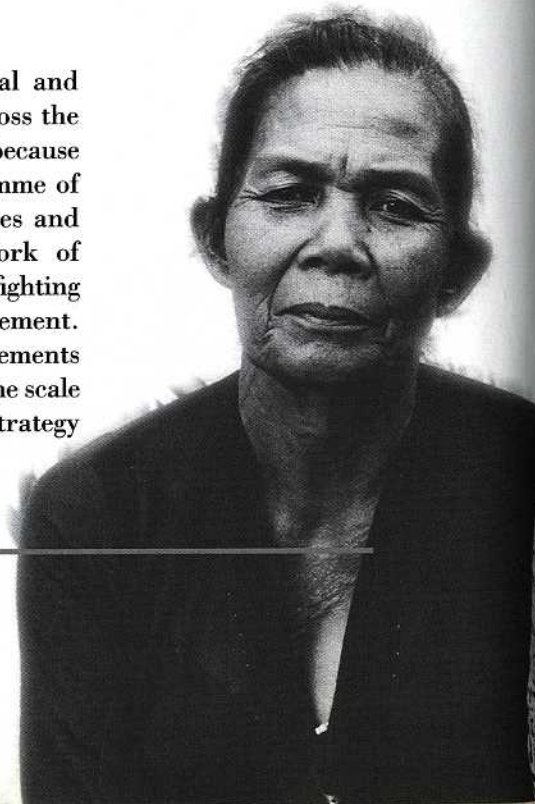




Violence Against Women's Programme

On December 3rd 1997, at 18:00 hours, in the community of Zopilotepec, municipality of Atlixnac, two married couples were detained by five armed members of the Mexican army. The couples, Aurelia Mendez Ramirez and her husband Celerino Vazquez Solano, Delfina Lopez Aguilar and her husband Aureliano Vicente Cantu, were in the fields with their children, gathering maize, when the military arrived. The men were tied up and beaten and the women were raped repeatedly in the presence of their husbands and children who were threatened with death. They were then taken to the community of Ocopexco where the women were released.

This case is an illustration of a global and largely hidden problem. Everyday across the world, women are subjected to violence because of their gender. The Women's Programme of OMCT has been set up to build bridges and awareness between the largest network of traditional human rights organisations fighting torture and the women's rights movement. Bringing the strengths of these two movements together, we hope to raise awareness of the scale and nature of the problem and build a strategy to end this form of violence.



Violence Against Women's Programme

Women are particularly vulnerable to the effects of torture and other cruel, inhuman or degrading treatments. The vulnerability stems from their gender. Women and girl-children are the victims of legal and real life inequalities, often perpetuated by stereotypes, customary and traditional practices, or even religious extremism. These inequalities prevent women from enjoying their human rights and fundamental freedoms and are often synonymous with physical, sexual and psychological violence in the family, the community or perpetrated or tolerated by the State.

Violence against women is a universal phenomenon and is a major obstacle to peace, development and democracy

Through the Women's programme, OMCT intends to build a better understanding of the problem and facilitate the construction of mechanisms within the United Nations and at the country level to offer improved protection for women.





Violence Against Women's Programme

Urgent Appeals

Since the end of 1996, OMCT has been issuing urgent appeals specifically concerning violence against women. Women threatened by torture will benefit from an urgent appeals programme specific to their needs from a long established network with the capacity and expertise to intervene effectively to save lives.

Distributing regular information on gender specific appeals to the traditional human rights movement will make an important contribution to awareness raising.

The appeals will similarly support the important work of the Special Rapporteur on Violence against Women.



Violence Against Women's Programme

Country Reports

In its reports on violence against women, OMCT aims to analyse national law in terms of the situations that could provoke gender specific violence.

For example in 1997, OMCT demonstrated that a series of laws in Bangladesh combined with social and cultural custom brought about a situation of extreme discrimination facilitating a level of violence against women in that society. Concrete analysis was supported by concrete recommendations for change.

In other words, the reports aim to point out where, often unknowingly, legislation facilitates gender specific violence. The legal and social analysis is supported, where possible, by real cases, documented by OMCT. The reports are not legal semantics for their own sake: they include meaningful and realisable recommendations for legislative reform to improve the position of women.

The United Nations Committee on the Elimination of Discrimination against Women (CEDAW) has made special requests for

information on violence against women. These requests are a response to the realisation that there is so little hard information on the issue. Governments in their reports rarely make mention of these issues. CEDAW's recommendations on the issue of gender specific violence drawing from the OMCT reports, send a strong message from the international community with regard to national legislative reform. The success of OMCT reports draw on ten years of effective lobbying at the other UN committees.

During 1997, three reports on Zaire, Namibia and Bangladesh, documenting violations of women's human rights, including violence against women, were presented to CEDAW by OMCT.



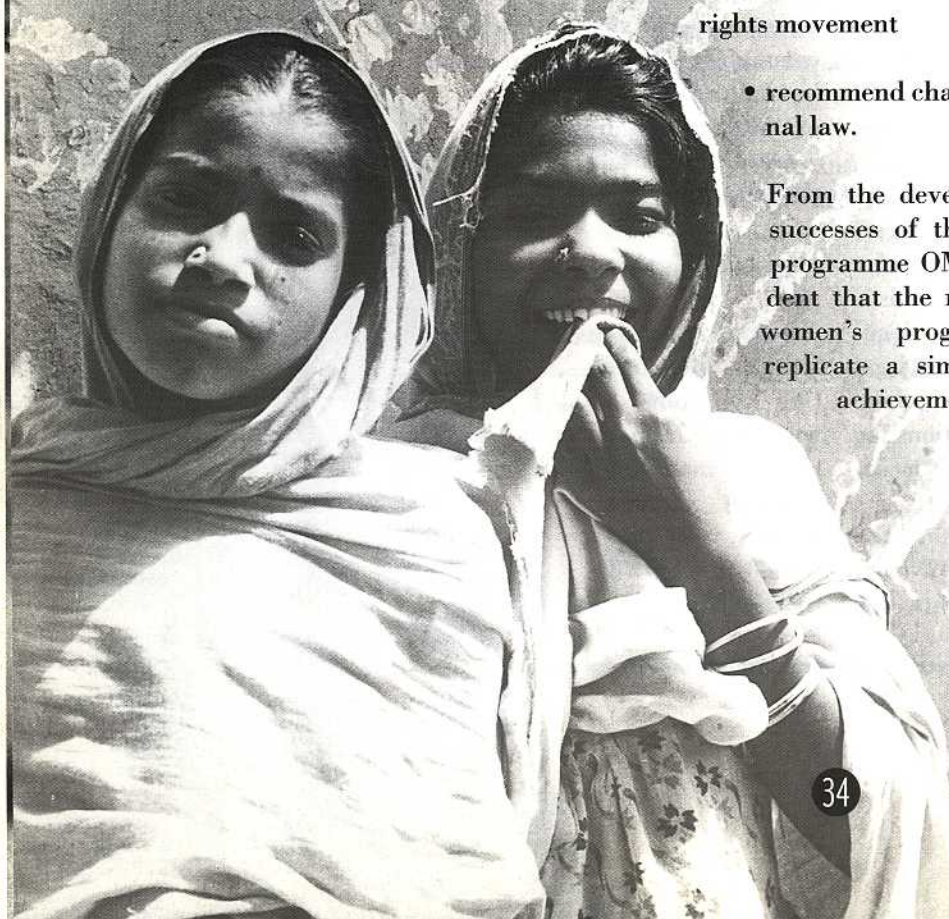
Violence Against Women's Programme

Raising Awareness

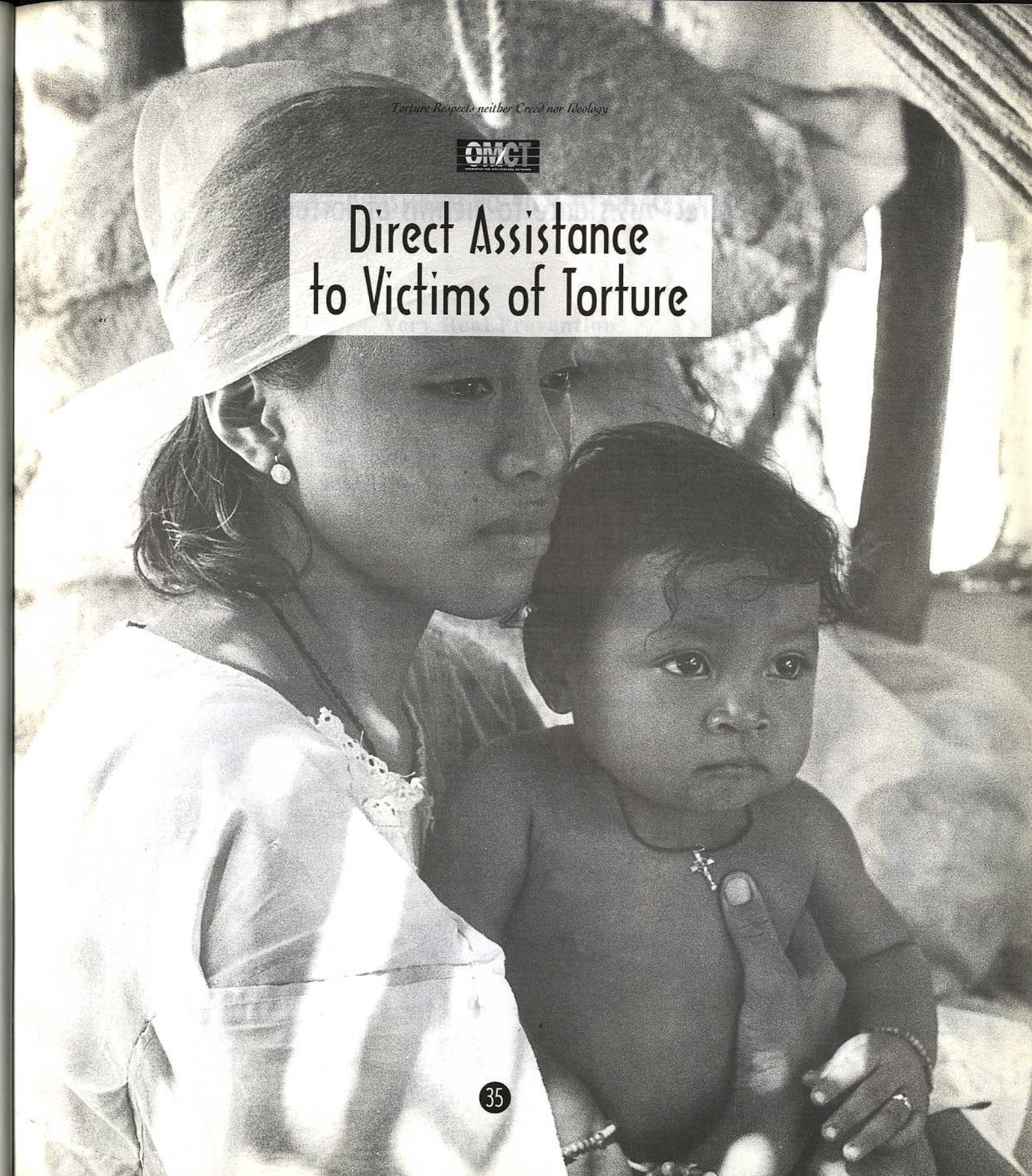
The different strategies of the programme will

- provide a significant and respected voice for grass roots women's group at the international level.
- will raise awareness in traditional human rights movement
- recommend changes in national law.

From the development and successes of the Children's programme OMCT is confident that the results of the women's programme can replicate a similar level of achievement.



Direct Assistance to Victims of Torture





Direct Assistance to Victims of Torture

**Actions speak louder
than words....**

"I would like to express my thanks for this so humanitarian gesture for my treatment and the physiotherapy. I hope that that, thanks to your contribution, I will be able to use my arm again"

The OMCT Victims of Torture Programme, very real prevention



Direct Assistance to Victims of Torture

Very Real Prevention

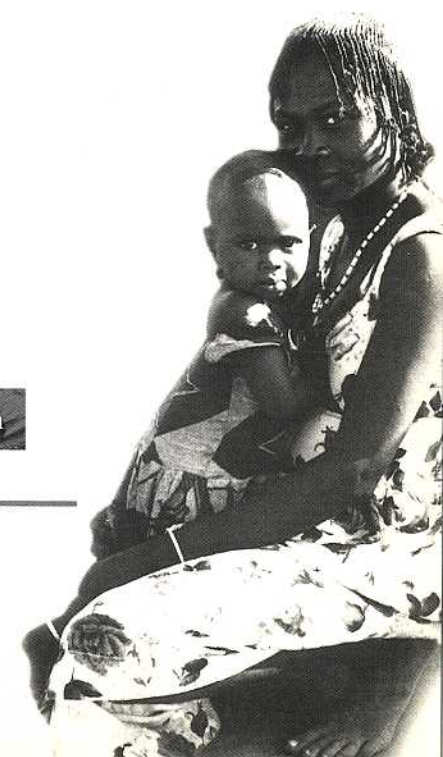
During 1997, OMCT was asked by a number of Colombian organisations to intervene in a hostage situation in Colombia. A series of confidential initiatives were launched and resulted in the release of two of the hostages: a teacher and his wife.

In March 1997, a flurry of further quiet negotiation resulted in the release of another hostage.

Although released, the risk of further kidnappings remained undiminished and it was decided that the recently released hostage and his family, would have to flee the country. OMCT stepped in at speed to facilitate his escape, his safe passage and welcome in a new host country. His asylum case was processed and accepted. OMCT has provided initial funds for his family to start a new life

This same victim would later intervene as part of the OMCT delegation at the United Nations Commission on Human Rights and added a powerful voice to the debate and results on the lobby on Colombia.

The OMCT Victims of Torture Programme, very real prevention





Direct Assistance to Victims of Torture



Responding to the Needs of Victims of Torture A Challenge for a Network

Torture victims have urgent needs - medical, social or legal assistance. Whilst the sums of money required to make a big difference are often small, their needs are immediate.

Torture victims are in need all over the world. Assistance on a global scale presents an infinitely complex logistical puzzle.

Logistical problems and expense for a single organisation would be enormous and inevitably generate bureaucracy.

With representatives in more than 95 countries, mostly based in the South, qualified and reliable agents are already in place and ready to verify a case. No expensive trips from northern «experts» are needed. Needs, initiation, verification and decisions are placed in the hands of those most qualified to tackle the problems - National NGO's. This empowering structure allows an effective response to the challenges of the programme: Speedy delivery of urgent assistance to victims of torture on a global scale.

An empowered network can deliver emergency funds to victims of torture whenever, wherever and however these are needed - at a very minimal administrative cost.

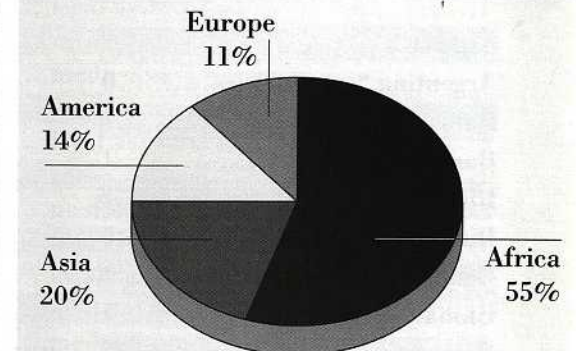


Direct Assistance to Victims of Torture

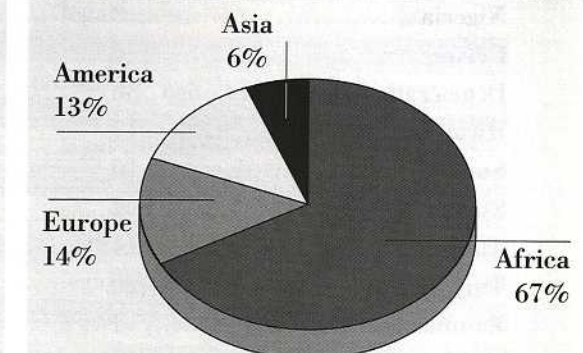
Number of Cases by Country

Algeria	1
Argentina.....	1
Bahrain.....	1
Bangladesh	1
Bhutan.....	1
Burundi	2
Central African Republic.....	1
China.....	1
Colombia	4
Guinea	1
Iran.....	1
Israel	1
Liberia	1
Nigeria	2
Peru	1
Democratic Republic of Congo ...	5
Rwanda.....	3
Sudan	4
Syria	3
Tunisia	3
Turkey	5
Zambia.....	1
Total	44

Percentage of Cases by Continent



Percentage of Victims by Continent

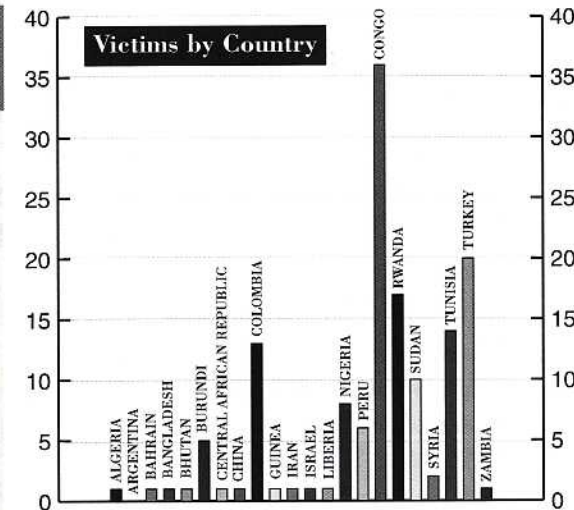




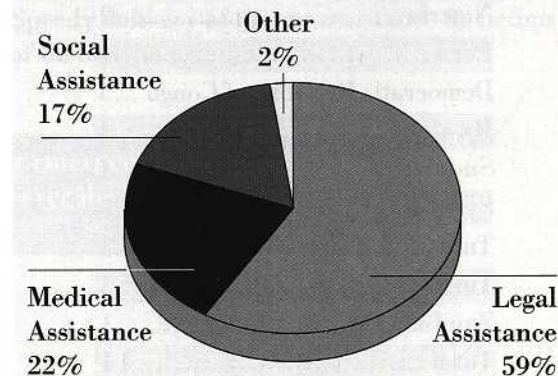
Direct Assistance to Victims of Torture

Number of Victims by Country

Algeria	1
Argentina *	0
Bahrain	1
Bangladesh	1
Bhutan	1
Burundi	5
Central African Republic	1
China	1
Colombia	13
Guinea	1
Iran	1
Israel *	1
Liberia	1
Nigeria	8
Pérou	6
Democratic Republic of Congo ..	36
Rwanda	17
Sudan	10
Syria *	2
Tunisia	14
Turkey *	20
Zambia	1
Total	142



Percentage of Interventions by Type of Assistance



* Collective assistance is not taken into consideration in the number of victims.



Direct Assistance to Victims of Torture

Number of Interventions by Country

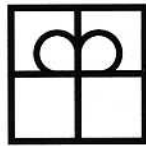
Algeria	social assistance	1
Argentina	legal assistance	1
Bahrain	legal assistance	1
Bangladesh	legal assistance	1
Bhutan	legal assistance	1
Burundi	legal assistance	1
Burundi	medical assistance	2
Central African Republic	medical assistance	1
China	legal assistance	1
Colombia	legal assistance	3
Colombia	social assistance	1
Guinea	medical assistance	1
Iran	legal assistance	1
Israel	legal assistance	1
Liberia	medical assistance	1
Nigeria	medical assistance	1
Nigeria	social assistance	1
Peru	social assistance	1
Democratic Republic of Congo	legal assistance	4
Democratic Republic of Congo	medical assistance	1
Democratic Republic of Congo	social assistance	1
Rwanda	legal assistance	3
Sudan	legal assistance	3
Sudan	medical assistance	1
Syria	other	1
Syria	legal assistance	2
Tunisia	legal assistance	3
Turkey	social assistance	2
Turkey	medical assistance	2
Turkey	legal assistance	1
Zambia	social assistance	1
Total	46	

Torture Respects neither Creed nor Ideology



Direct Assistance to Victims of Torture

OMCT would like to extend
its thanks to



DIAKONISHES WERK
DER EVANGELISCHEN KIRCHE IN DEUTSCHLAND
of the Evangelical Church in Germany
de l'Église Évangélique en Allemagne

CARITAS
Schweiz Suisse Svizzera Svizra

for their support
and confidence in 1997

Torture Respects neither Creed nor Ideology



Observatory for Human Rights Defenders



Observatory for Human Rights Defenders

In May 1997, 2 CINEP activists as well as 2 of their family members are assassinated in their home in Bogota, Columbia; Pierre Athalla, a Lebanese journalist seeks political asylum in France as his life is endangered in his home country; Guillaume Ngefa, president of the Zairian Human Rights Association flees Zaire to find refuge in Brazzaville...

Human Rights Defenders are increasingly the targets of human rights abuses.

These threats must be answered.



Observatory for Human Rights Defenders

The Launch of The Observatory for the Protection of Human Rights Defenders

July 21st 1997

The idea of the Observatory has evolved from the ever increasing number of human rights defenders, who in defending the rights of others make themselves targets for human rights abuses.

Today, human rights defenders must face a daily threat of summary execution, disappearance and torture but also restrictions on free speech and association as well as discrimination in employment and action against their families.

The practices of repression have assumed an increasingly systematic character in many countries around the world. The tools of repression used against human rights defenders have grown ever more effective.

Since the end of the cold war, with many societies in transition, opening to democracy and all of us facing the steady march of globa-

lization, human rights defenders are playing an ever more critical role at both the national and international level. Despite their clear importance and the lip service paid to their actions, the reality is quite different.

The international community in its attempts to establish an international system of protection, has been continually frustrated on all initiatives by a number of nations, and the efforts have come to nothing.

Faced by the events, World Organisation Against Torture (OMCT) and the International Federation of Human Rights (FIDH) decided to combine their strengths in a unique alliance to provide a specific programme of action to respond to the growing need for improved protection of all human rights activists, both at the national and international level.



Observatory for Human Rights Defenders

Aims

Alert the international community to threats against human rights defenders.

Organise inquiry mission in countries where the activities of a human rights activist are increasingly threatened, and any other activity relating to the protection of human rights defenders.

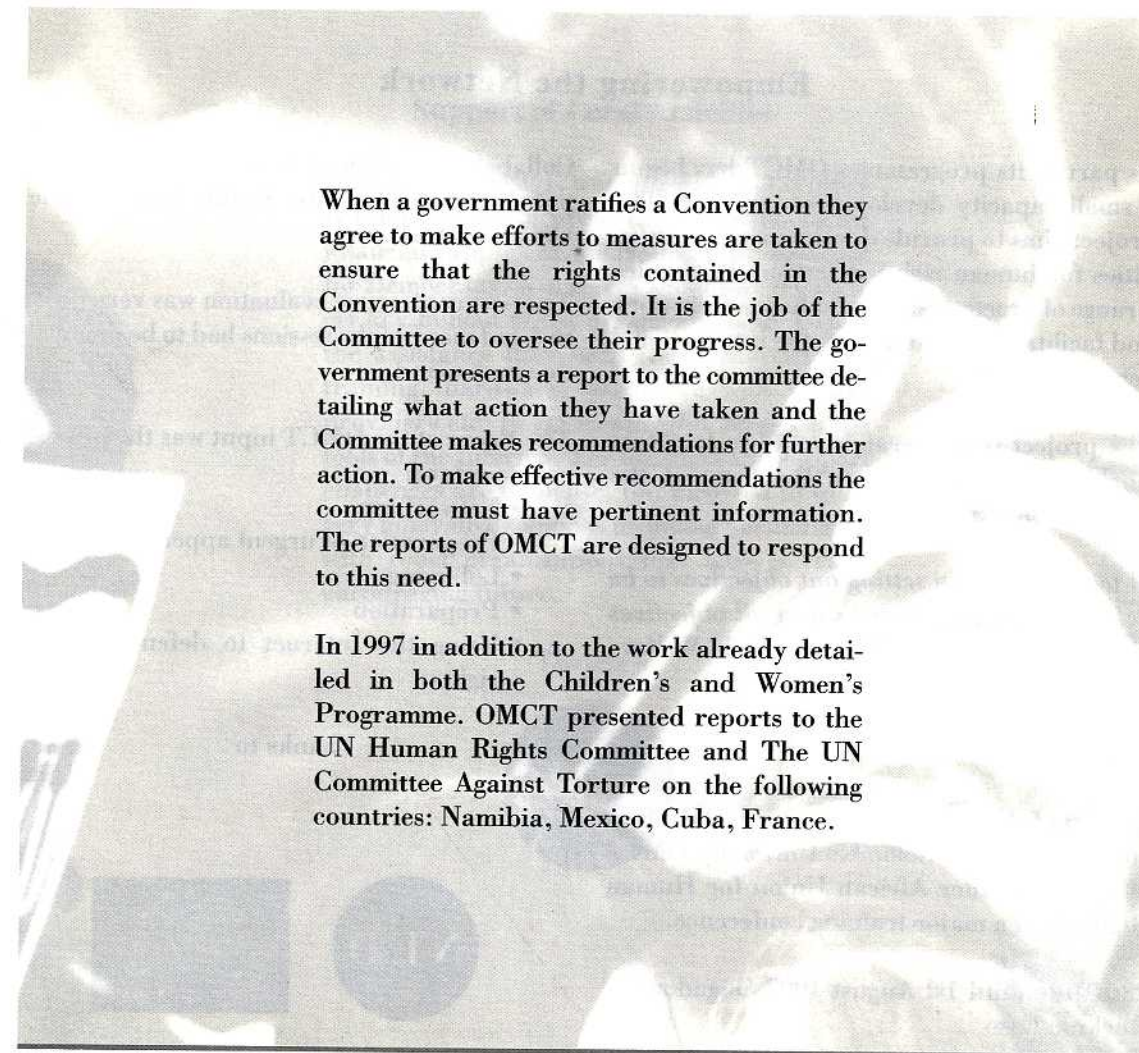
Results for the first year will be published Mid 1998.



Reports for Long Term Change

When a government ratifies a Convention they agree to make efforts to measures are taken to ensure that the rights contained in the Convention are respected. It is the job of the Committee to oversee their progress. The government presents a report to the committee detailing what action they have taken and the Committee makes recommendations for further action. To make effective recommendations the committee must have pertinent information. The reports of OMCT are designed to respond to this need.

In 1997 in addition to the work already detailed in both the Children's and Women's Programme. OMCT presented reports to the UN Human Rights Committee and The UN Committee Against Torture on the following countries: Namibia, Mexico, Cuba, France.





Training and Capacity Building

Empowering the Network

As part of its programmes OMCT has begun a small capacity development project. The project aims to provide development opportunities for human rights defenders to acquire a range of practical skills to enhance their work and facilitate their links with the international community.

The project is deliberately small to facilitate working as a full part of the team at the International Secretariat.

"I was involved in setting out objectives to be achieved every two weeks and all objectives were achieved» Joyce Mwangi - Child Welfare Society of Kenya.

Collaboration allowed us to bring together 65 people from Africa, the Middle East and the United States.

The post conference evaluation was very positive and many of the sessions had to be doubled due to demand.

The Focus of the OMCT input was the practical aspects of:

- Networking
- Preparation of urgent appeals
- Lobbying
- Preparation
- Using the Internet to defend human rights

Thanks to

As part of the training programme, OMCT, in collaboration with Columbia University, OMCT US and the Inter African Union for Human Rights held a major training conference.

28th July until 1st August 1997 Ougadougou Burkina Faso

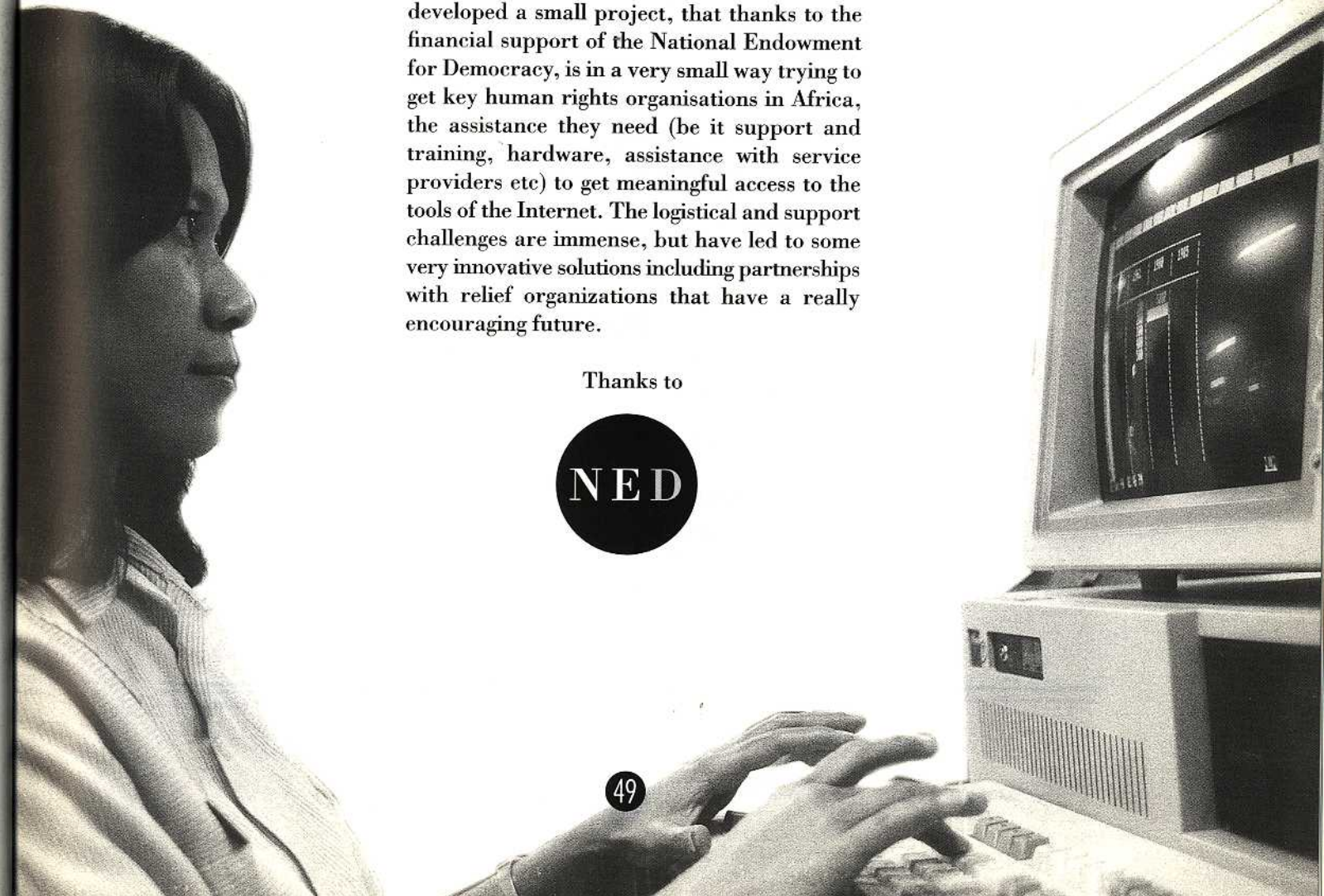


Training and Capacity Building

Support of Local Activities

During 1997 OMCT, working with its US office developed a small project, that thanks to the financial support of the National Endowment for Democracy, is in a very small way trying to get key human rights organisations in Africa, the assistance they need (be it support and training, hardware, assistance with service providers etc) to get meaningful access to the tools of the Internet. The logistical and support challenges are immense, but have led to some very innovative solutions including partnerships with relief organizations that have a really encouraging future.

Thanks to





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The World Organisation against Torture would like to extend its thanks to all those who have enabled OMCT to carry out its work. The full list of supporters is to found in the accounts.

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ORGANISATION MONDIALE CONTRE LA TORTURE

المنظمة العالمية ضد التعذيب WORLD ORGANIZATION AGAINST TORTURE 世界反对酷刑组织 世界拷問阻止機関
ORGANIZACION MUNDIAL CONTRA LA TORTURA Всемирная организация против пыток
የለም እቀፍ ሞገኔ የተሞላበት ደርጊት ለመከላከል የተቋቋመ ድርጅት WELTORGANISATION GEGEN DIE FOLTER ארגון עולמי למלחמה בעינויים

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Eric Sottas

Executive Council

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Pierre de Senarclens

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Saranbang

Center for Human Rights

Mr. Park Lea-Goon

4th Fl., 8-29, Myunglyun-2

Ga Dong Jong Ro-Gu

Séoul (110-522)

Corée du Sud

Geneva, 30 March 1998

Dear Sir,

Some time ago you made a request to become a member of our network and our organisation.

I have the pleasure to let you know that **your candidacy has been accepted provisionally** by the recent session of our **Executive Council**. As you probably remember this acceptance enters into effect immediately which means that the new provisional members have the same rights and the same obligations as the others.

The next **General Assembly** will elect new members during its recesses and **will confirm or not** the decision of the **Executive Council**. As soon as the next **General Assembly** has decided (later in 1998), we will let you know.

I remind you of the conditions for joining the network figuring in the annex to our statutes.

1. Only those fulfilling the following conditions may request membership of the network of non-governmental organisations (NGOs)

a) those whose principal or subsidiary aim is to fight torture,

b) those who are capable of either supplying or circulating credible information on this subject,

*c) those who pay a subscription, which may be purely symbolic or take the form of a service, if the organisation's request to do so is justified.***

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E-MAIL : omct@iprolink.ch
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2. *Membership of the network is refused to those organisations who*

a) resort to armed struggle,

b) work for a government, an intelligence organisation or a political party.

3. *Membership may be withdrawn from those organisations*

a) which have knowingly provided false information,

b) which have grossly distorted information circulated by OMCT/SOS-Torture.

I hope that we will be able to develop a fruitful working relationship with you,

Yours Sincerely



Eric Sottas
Director

Annex: our last Activity Report

** The membership fee has been fixed at \$ 1,500.-- for organisations in industrialised countries and \$ 1,000.-- for those in the South. However, the Secretariat can, in mitigating circumstances, accept a lower fee or a contribution in the form of a service.

Société de Banque Suisse, Succursale de Vermont-Nations, case postale 27, 1211 Geneva 1, Switzerland.

Account No. C8-106,675.0 - OMCT

DIPLOMA IN HUMAN RIGHTS LAW

Syllabi, Course outline and References



National Law School of India University
Nagrbhavi, Bangalore - 560 072

DIPLOMA IN HUMAN RIGHTS LAW

Syllabi, Course Outlines and References

Introduction:

"Human Rights" as a concept and as an instrument of civilised governance is old and has been of universal application. The content and reach of these rights as well as the mechanisms for their enforcement have changed over the years. Today, it has assumed such status and importance that no country can afford to disregard them in public administration and in international relations. It is, therefore, important that every section of society, particularly those exercising public power, understand its importance and implications and abide by its evolving standards.

The National Law School of India University (NLSIU) through its Human Rights Centre has been imparting human rights education to various categories of people outside its regular student body. The methods employed have been short-term refresher courses, legal literacy programmes, continuing education workshops, legal aid camps in rural areas, and circulation of pamphlets on human rights material. With a view to organize it systematically and attempt to give some level of specialised knowledge and skills to those in the government and outside who are part of the establishment, a Post-graduate Diploma Course (Dipl.H.R.L) through distance education techniques has been started from the year 1996-'97.

The Course has four subjects/papers. The first paper relates to a study of the power of the modern State and the limitations put on it in the interest of basic rights of citizens. In other words, this paper will give aspects of Constitutional Law, International Law and Administrative Law in the context of people's struggle for freedom, liberty and a just social order. The second and third papers look at the civil and political rights and the social and economic rights respectively both in the international and domestic contexts. The fourth paper attempts to relate human rights to the legal and judicial system of a given country or region in terms of

processual justice. Whatever the Constitution, the laws and the Bill of Rights may promise, it depends ultimately on the institutions and individuals in charge, whether people actually enjoy these rights and, if so, to what extent. The law persons have a special responsibility in this regard. They have to forge appropriate tools and strategies to cope with emerging problems and difficulties. Paper IV has therefore tremendous learning potential for everyone looking at the use of legal resources for improving the status of human rights enforcement in his/her jurisdiction.

Approaches and Methods of Study/Assessment:

Taking note of the diversities in the background and interests of participants in the Human Rights Diploma Course, the University has adopted a flexible, yet standardized package in the teaching/learning of the programme. This will help to adapt the course to suit the professional needs of lawyers, judges, teachers, administrators, police and correctional personnel, social workers and activists and even business people.

Distance Education is essentially a self-study programme and the University's role is limited to giving supportive guidance and providing periodical assessment of progress in learning through examinations. As such, the syllabus is given in detail with descriptions of objects of each paper and the list of materials relevant to each topic/sub-topic. What is given, of course, is the minimum reading necessary to receive learning for the requirements of a diploma programme and it is desirable to have wider study for higher levels of understanding of the subject. The University provides some set of materials which are essential, but may not be easily available in libraries particularly in mofussil areas. Other materials have to be accessed by the students from libraries or book-shops and the University will give assistance if there are genuine difficulties in procuring the materials.

After an initial reading of the required materials and preparing notes thereof, it will be necessary for each student to select a topic on which he/she will do some research/investigation and write a report/memorandum of not more than 25 typed pages. This project exercise will carry 1/3rd of the academic credit for the paper concerned (35 marks out of 100) and therefore requires careful study and preparation. The choice of topic for the project is assigned at the instance of the student in order to accommodate the special interest of the candidate. However, if assistance is required, the University will provide it. In any case, the topic is settled subject to the approval of the Course Co-ordinator.

There is no specific format for writing the project report. However, it must be original (not just copied), must indicate some degree of research and reflection of already available material, must be written in clear language (English only) and organized appropriately in a readable fashion. As there is no scope for re-submission of projects in a one-year course, it is necessary to devote sufficient attention in the writing of the project report.

By and large, the viva-voce examination which carries another 15% of marks for each paper will also be based on the project work (though not exclusively). This demands personal study and personal efforts in project execution at all stages.

The written examination for 50 marks may have objective-type, multiple choice questions, short answer questions and problems requiring legal analysis. The object is not merely to test the level of information but also to assess the capacity for application, analysis and independent judgment.

For persons who have studied law or are familiar with legal institutions and administration of justice, the course may be relatively easy to manage in one year with their regular occupations. Others may have to devote 10 to 12 hours of study

every week in order to complete the course successfully within one year. For the project assignment to be completed a little more time than the usual weekly schedule may have to be assigned.

PAPER I

HUMAN RIGHTS, RULE OF LAW AND CONSTITUTIONAL GOVERNANCE: HISTORICAL, COMPARATIVE AND ANALYTICAL PERSPECTIVES.

OBJECTIVES

This paper is designed to analyse the nature and extent of rights guaranteed under the Constitution and also to find out the extent of the realisation of the international standards of human rights within the domestic sphere of a nation. In doing so, it would be equally important to trace of the origin of human right through ages, the improvements that had been made to that concept itself over a period of time and a comparative analysis to enrich both the international as well as the domestic standards of human rights.

With the Constitution coming into existence in every liberal democratic state, the stage is well set for the organised power play within the Constitution as well as the individual's sphere in that Constitution. This obviously reflects the existence as well as the adherence of the well established principles of rule of law.

In the realisation of these basic rights, judiciary plays a very vital role in democracies, particularly in a country like India. The judiciary, instead of applying literal interpretation of the provisions, goes ahead to provide liberal interpretation of those rights, thus expanding the scope of those rights and resulting in the reduction of the gap between domestic and international standards of human rights.

Keeping these developments in mind, the focus of this course would primarily deal with the following specific objectives:

- (a) To understand the meaning, nature and scope of the concept of Human Rights and its relation to rule of law and constitutional governance ;

(b) To understand and appreciate the role of democratic process in the protection of human rights ;

(c) To understand and appreciate the distinction between theory and practice in realisation of legal and constitutional rights and their relevance to human rights;

(d) To understand and appreciate the "dimensions of human rights" like individual and group rights and also the interface among the social, economic, cultural, civil and political rights; and

(e) To critically evaluate the interface between the concept of Human rights and constitutional development.

SYLLABUS

UNIT - I

Ancient Indian Concept of duty - Realisation of Common good by the King - Right as a concept developed by the West - Natural Law and natural rights - Concept of Legal rights - Constitutional and Fundamental rights - Evolution of Human rights to universal Declaration of Human Rights and the two Covenants

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UNIT - II

Rule of Law - Concept, Origin, importance, patterns of rule of law societies, pre-requisites, relation to human rights and good governance.

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