



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION



association for
the prevention
of torture

The Torture Prevention Ambassadors' Good Practice Report



Good Practices from National Human Rights Institutions

Note



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The Torture Prevention Ambassadors' Good Practice Report: Good Practices from National Human Rights Institutions

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Credits

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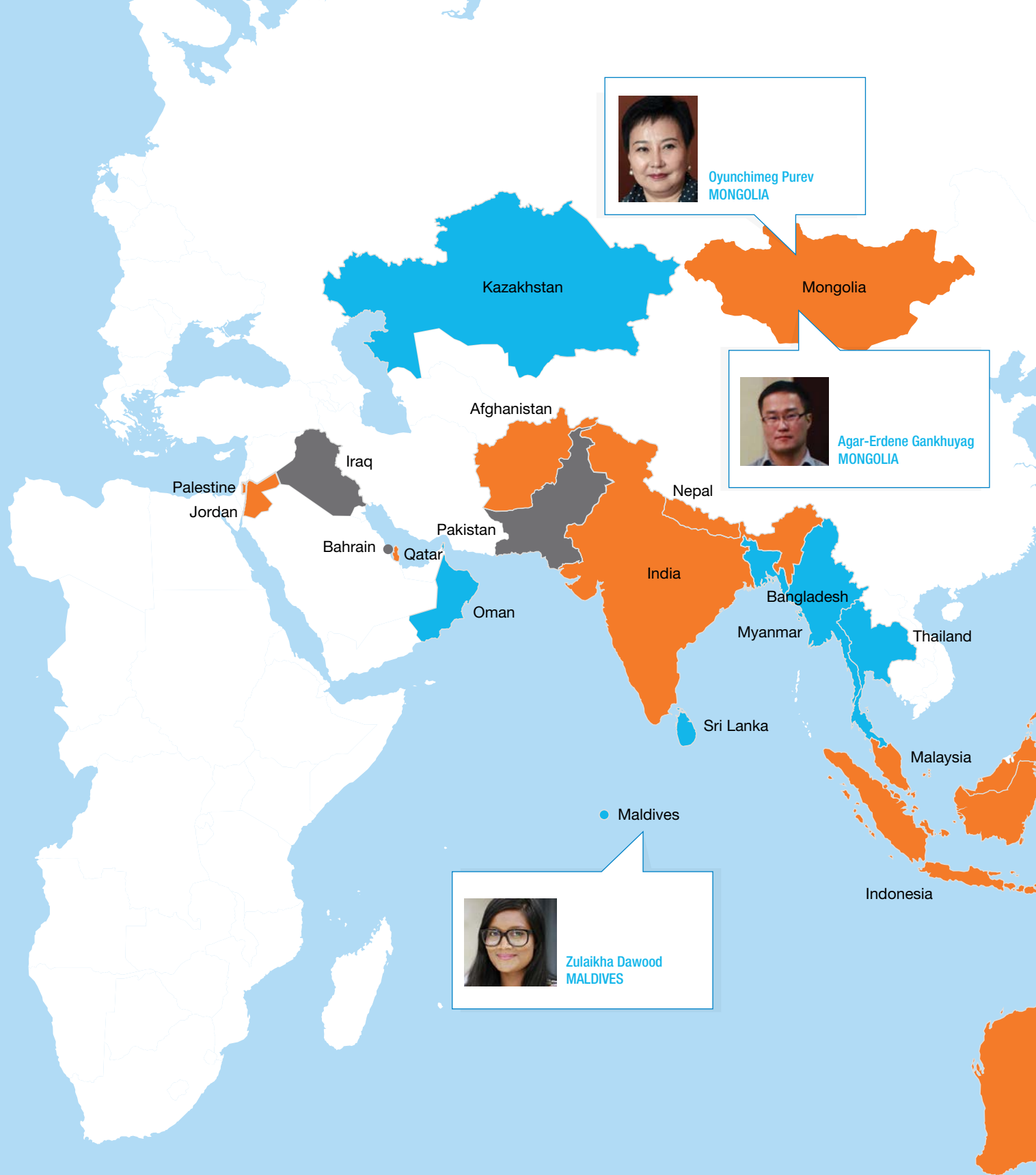
Left: Detention facility inspection – Ambassador Commissioner Kim Young-Hye from the National Human Rights Commission of Korea

Centre: National Police Dialogues – Ambassador Jacqueline Ann C. de Guia from the Commission on Human Rights of the Philippines

Bottom: In-house training – Ambassador Agar-Erdene Gankhuyag from the National Human Rights Commission of Mongolia

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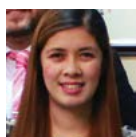


Torture Prevention Ambassadors come from seven different national human rights institutions in the Asia Pacific region



Young-Hye Kim
KOREA

South Korea






Jacqueline Ann C. de Guia
PHILIPPINES

Philippines



Sidonio Soares
TIMOR LESTE

Timor Leste

-  Full Members of the APF
-  Associate Members of the APF
-  New NHRIs (not currently accredited with the ICC)

The depiction and use of boundaries, geographic names and related data shown on this map are not warranted to be error free nor do they necessarily imply official endorsement or acceptance by the APF

Samoa

Fiji

Australia



Sarah Dillon and
Prabha Nandagopal
AUSTRALIA

New Zealand



Michael White
NEW ZEALAND

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Glossary

APF	Asia Pacific Forum of National Human Rights Institutions
APT	Association for the Prevention of Torture
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
NHRI(s)	National Human Rights Institution(s)
NPM	National Preventive Mechanism
OPCAT	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
SPT	United Nations Subcommittee on Prevention of Torture

Foreword



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

FROM THE APF

The Asia Pacific Forum of National Human Rights Institutions (APF) is a coalition of national human rights institutions (NHRIs) in the Asia Pacific region whose aim is to collectively create a world where everyone enjoys human rights. Since 1996, the APF has provided its members with technical expertise, professional support and international advocacy to strengthen NHRIs in the region. APF members have a wealth of expertise on human rights issues but also face significant challenges in capacity and resourcing to deliver change.

NHRIs can be powerful agents for change. They use their mandate to promote and protect the rights of all people in a country, especially vulnerable groups. They are also uniquely placed to understand pressing human rights issues in their countries.

Through its long-standing partnership with the Association for the Prevention of Torture (APT), the Torture Prevention Ambassadors Project was created. It was designed to harness and enhance the existing expertise of NHRIs and address some of these capacity challenges, through the placement of a network of experienced Torture Prevention Ambassadors in NHRIs. In providing targeted support and seed funding, the APF has facilitated an opportunity for NHRIs to respond to a pressing local need in addressing the prevention of torture and ill treatment.

This Good Practice Report is the final stage of this innovative project approach to preventing torture and ill treatment. From the project's inception in 2014, the APF has been continually surprised by the commitment of participating NHRIs and the ingenuity of the Torture Prevention Ambassadors to successfully deliver outcomes within their individual projects. Though the projects have differed, there has been some commonality in the good practices that have emerged across all the projects. This report collates those practices.

It is the hope of the APF that the experiences gained from this project will be shared with NHRIs globally, enhancing their capacity to address torture prevention.

Kieren Fitzpatrick
Director



association for
the prevention
of torture

FROM THE APT

For almost 40 years, the Association for the Prevention of Torture (APT) has been advocating globally for torture prevention by promoting the transparency of places of detention and respect for the rights and dignity of all persons deprived of their liberty. Over the last 15 years, the APT has acknowledged that NHRIs have a key role to play in this regard. As independent State institutions they can not only act as a bridge between the international system and the domestic actors, but also take concrete actions to contribute to prevention through legal reforms, visits to places of detention and training of public officials. In a number of countries, where NHRIs have been designated as National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture, they also have an international mandate to monitor places of detention in order to identify risks of torture and ill treatment and recommend ways to address these risks.

Prevention of torture cannot be achieved by a single person or act but rather by a joint effort that can be best accomplished through quality partnership and innovative approaches. It is therefore with great pleasure that I present the results of the Torture Prevention Ambassadors Project (TPA). The project has been made possible thanks to our long-term partnership with the APF, the synergies between national and regional approaches and of the creative initiatives implemented by committed members of NHRIs.

This Torture Prevention Ambassadors project, which is part of a broader multi-year joint project funded by the European Union, is hence quite unique in its methodology as well as in its results. The diversity of the projects designed by the nine Ambassadors – ranging from internal capacity strengthening activities to awareness raising of the public opinion, through partnering with police for prevention – illustrate the potential for action by NHRIs to prevent torture in their countries. However, the number of good practices and outcomes presented in this report show that the Torture Prevention Ambassadors Project goes far beyond the successful implementation of projects at the national level. It is about creating a community of practitioners but also a dynamic among NHRIs, authorities and others towards an environment where torture is less likely to happen. This project therefore constitutes a source of inspiration to NHRIs in other regions outside the Asia Pacific where we will offer our support as well as maintain our interest in the Asia Pacific region.

Together, we can prevent torture.

Mark Thomson
Secretary General

Executive Summary

This report highlights the outcomes of an 18-month pilot project, “Torture Prevention Ambassadors for the Asia Pacific”, implemented by the APF and the APT to strengthen the capacity of NHRIs in the Asia Pacific region to prevent torture and other ill treatment. The project draws on two key factors: the unique role that NHRIs can play in preventing torture and the potential of individual actors for change to prevent torture and ill treatment at an institutional and country level. In total, nine Torture Prevention Ambassadors, representing seven NHRIs, were selected for the project. With ongoing support and guidance, the Ambassadors devised and implemented their own projects, addressing root causes of torture and ill treatment in their countries.

Though each project targeted different root causes of torture and ill treatment in varied contexts, at the culmination of the project, several shared good practices were identified. These include:

- GOOD PRACTICE 1:** Key individuals within NHRIs can be catalysts for institutional change and inspire broader commitment to torture prevention
- GOOD PRACTICE 2:** Expert mentoring enhances the development of actors for change
- GOOD PRACTICE 3:** Peer-to-peer exchange is effective in sharing and building on good practices
- GOOD PRACTICE 4:** Enhancing communication skills can equip NHRIs to influence public opinion on torture prevention
- GOOD PRACTICE 5:** Developing constructive dialogue with authorities on prevention enhances impact
- GOOD PRACTICE 6:** Every project should be designed with sustainability in mind



Although the project is now complete, the Torture Prevention Ambassadors' projects were designed with sustainability in mind; for example, through the development of tools, such as manuals and NHRI Advisory Notes, that will continue to be used beyond the life of the project. In some cases, Torture Prevention Ambassadors and their NHRIs have already mainstreamed aspects of the Torture Prevention Projects into regular work – for example, in the area of communication and outreach.

The good practices gathered in this project will be disseminated widely and will complement the existing APF and APT training resources. As Torture Prevention Ambassadors continue their work within NHRIs or beyond in the future they will do so with a key skill set that enables them to spread the preventive approach to torture and ill treatment to those within their sphere of influence.

Part I:

Introduction

The special role of NHRIs in the prevention of human rights violations is increasingly recognised, including by the United Nations. Because of the independence and mandate of NHRIs to promote and protect human rights, they have a key role to play in the field of torture prevention. Often, they also have direct experience of issues affecting persons deprived of their liberty, through their mandate to visit places of detention or receive complaints from detainees. This makes them ideal institutions to address the prevention of torture and ill treatment, which most often occurs in places of detention, devoid of public scrutiny. The prevention of torture and ill treatment aims to address root causes – not what happened, but why it happened and what can be done to prevent its recurrence.

WHAT ARE NHRIS?

NHRIs are independent bodies established to defend those in need of protection and to hold governments to account for their human rights obligations. They also help shape laws, policies and attitudes that create stronger, fairer societies. Established by law or in the constitution, NHRIs promote and protect human rights in their respective countries. However, they operate and function independently from government. Strong and effective NHRIs help bridge the “protection gap” between the rights of individuals and the responsibilities of the State by:

- monitoring the human rights situation in the country and the actions of the State
- providing advice to the State so that it can meet its international and domestic human rights commitments
- receiving, investigating and resolving complaints of human rights violations
- undertaking human rights education programs for all sections of the community, and
- engaging with the international human rights community to raise pressing issues and advocate for recommendations that can be made to the State.



The APF and the APT have been working in partnership to deliver torture prevention training programs for NHRIs since the adoption of a report on torture by the APF's Advisory Council of Jurists in 2005. The collaboration between the APF and the APT is, therefore, one with many synergies. The APF brings extensive knowledge and experience of NHRIs in the Asia Pacific, and the APT brings subject matter expertise in the field of torture prevention.

The APF and the APT have worked together on a number of projects since 2005. In doing so, both have come to recognise that there are key individuals within NHRIs who are uniquely placed to drive positive change in relation to torture prevention. These ‘agents for change’ bring vision, ideas and motivation and have the capacity to persuade, convince and inspire others to join the cause.

In 2013, the APF and the APT began a three-year project aimed at strengthening the capacity of NHRIs in the Asia Pacific to prevent torture and other ill treatment. A key objective of this project was identifying and working with those 'agents for change' within NHRIs, to effectively support their ideas for preventing torture and ill treatment in the Asia Pacific. This was the catalyst for the creation of the Torture Prevention Ambassadors in September 2014.

In total, two NHRI Commissioners and seven senior staff members were selected from seven countries in the region, becoming Torture Prevention Ambassadors for the 18-month project. The NHRIs represented are: Australia, Korea, Maldives, Mongolia, New Zealand, Philippines and Timor Leste.

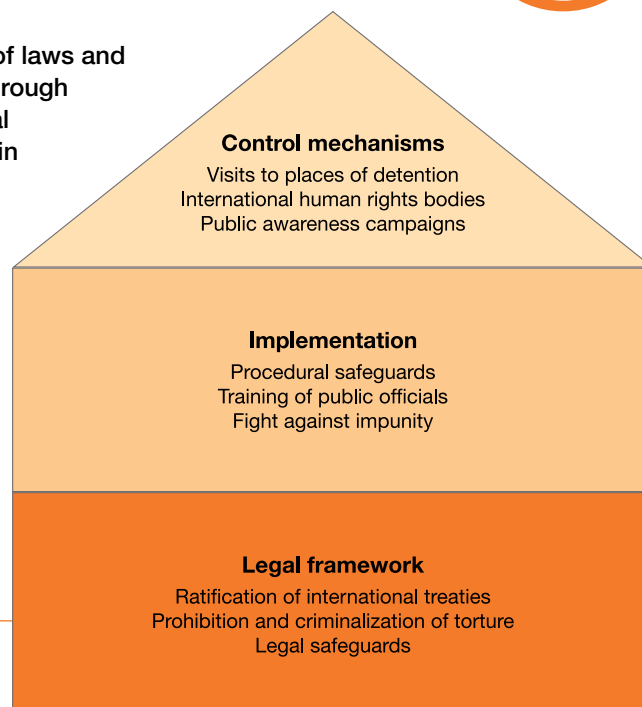
The Torture Prevention Ambassadors were each tasked with designing and implementing an individual project to address the root causes of torture and ill treatment in their respective countries, based on the current human rights situation. They were assigned an expert mentor to guide and support them, were given support to enhance their project management and communication skills and were trained on technical aspects of torture prevention. Finally, they were given a small amount of seed funding to implement their project. At the conclusion of their projects, they could point to tangible impacts both in how their NHRIs promoted torture prevention more generally and, importantly, impacts that would ultimately benefit persons deprived of their liberty who face the greatest risk of torture and ill treatment.

This report seeks to share the good practices and lessons learned through this project. Part I provides an overview of the overall Torture Prevention Ambassador project including its objectives and design. Part II consolidates the good practices and lessons learnt. Part III showcases each of the eight individual Torture Prevention Projects in detail.

WHAT IS TORTURE PREVENTION?

Torture prevention is a global strategy aimed at identifying risks of torture and ill treatment and creating an environment where torture and ill treatment are less likely to occur. It is best explained as a 'house of prevention'.

- The foundation is an effective **legal framework** that both prohibits and prevents torture and other form of ill treatment.
- The walls are the **implementation** of laws and regulations in practice, achieved through training, development of procedural safeguards and through sanctions in case of violation of the law.
- The protective roof represents **control mechanisms** to examine whether the legal framework exists and whether it is implemented. Regular visits to places of detention by independent bodies constitute one of these control mechanisms, as well as scrutiny by international human rights bodies.



UNDERSTANDING OPCAT

The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty that aims to prevent torture and ill treatment. It entered into force in 2006 and establishes a system of regular visits to all places of detention, conducted by national bodies – known as National Preventive Mechanisms (NPMs) – and an international body, the Subcommittee on Prevention of Torture (SPT).

The OPCAT bodies work in close cooperation with national authorities, identifying gaps in laws and practice to protect the rights and dignity of all persons deprived of their liberty. The Asia Pacific region has one of the lowest rates of OPCAT ratification in the world. Four of the six OPCAT States Parties in the region have a Torture Prevention Ambassador in this project:

- Maldives (State Party since 2006)
- New Zealand (State Party since 2007)
- Philippines (State Party since 2012), and
- Mongolia (State Party since 2015).

Timor Leste and Australia signed the OPCAT in 2005 and 2009, respectively, but neither has ratified, and Korea is not yet a State Party. Coming from an OPCAT State Party was not a selection criteria for Ambassadors, but the correlation may be due to the relatively stronger experience and active engagement of NHRIs in torture prevention work where their countries are State Parties.



Ambassador Zulaikha Dawood, Human Rights Commission of the Maldives

Part II:

The Torture Prevention Ambassador Project

1. OBJECTIVE

In a region as diverse as the Asia Pacific, a one-size-fits-all approach to regional prevention is unlikely to be effective. The Torture Prevention Ambassador project therefore was based on the understanding that there are many different factors that lead to torture and ill treatment and they are often highly dependent on the human rights situation in each country. NHRIs know their local context, operate in a unique space between civil society and government and have access to many tools to uphold human rights, some of which (such as a legislative mandate to monitor places of detention) are unique to their institutions. This project sought to utilise that local knowledge and those unique tools to explore what works best in preventing torture and ill treatment.

The Project identified two Commissioners and seven senior NHRI staff members from seven countries across the region. It connected them with each other, supplemented their already substantial expertise and skill sets, provided them with seed funding and mentor support and facilitated an opportunity to work on a project to prevent torture and ill treatment in their country. Although the project focused on an individual NHRI Commissioner or staff member, giving him or her the title of Torture Prevention Ambassador, the project indirectly also sought to enhance the capacity of their NHRIs. The individual projects and successes are outlined later in the report.

By providing Torture Prevention Ambassadors with guidance, tools and support and giving them space to reflect, the project encouraged them to implement innovative approaches to torture prevention. Many have emerged. This was an encouraging outcome of the project, particularly for the APT as a non-government organisation that has been working in the field of torture prevention for 40 years. Furthermore, the project also served to reinforce some existing good practices in torture prevention. The APF and APT will use this report as a resource for training and awareness raising, including to supplement the APF-APT training manual *Preventing Torture: An Operational Guide for National Human Rights Institutions*.¹ This report distils the innovative ideas, good practices and lessons learned. It will be used to disseminate the message across the region and especially to other NHRIs seeking better ways to prevent torture and ill treatment.

PREVENTING TORTURE: AN OPERATIONAL GUIDE FOR NATIONAL HUMAN RIGHTS INSTITUTIONS

In 2010, APF and APT, together with the UN Office of the High Commissioner for Human Rights, published a practical guide and interactive CD-Rom, entitled *Preventing Torture: An Operational Guide for National Human Rights Institutions*. With its emphasis on how NHRIs can utilise their mandates to conduct a range of activities related to prevention, the Guide is a key resource used in a 'blended learning' training course for NHRIs that includes an online component and a face-to-face workshop. The CD-Rom features short videos with insights from NHRI staff and other practitioners on key topics related to torture prevention, interviews with international experts and role play scenarios.²



2. PROJECT STEPS

The key steps in the Torture Prevention Ambassadors project are set out below.

STEP 1:

Merit-based selection of Torture Prevention Ambassadors (September 2014)

NHRIs were invited to propose an outstanding candidate who was required to submit an application including a statement outlining a concept for a project they could implement. After a series of telephone interviews, nine Ambassadors were selected from seven countries in the region (two separate projects were successful from Mongolia, and two Ambassadors from Australia were selected to undertake a common project).

STEP 2:

Initial meeting: Sydney, Australia (November 2014)

At an intensive four-day workshop, the Torture Prevention Ambassadors met each other and the project mentors, received training from experts in torture prevention, developed practical skills in project planning and management and practiced communication skills through mock television interviews. They discussed their project ideas with colleagues and discussed challenges and opportunities in their project approaches. An essential element was the time each Torture Prevention Ambassador spent with their mentors refining their individual project. Over the four days, each Ambassador developed a project implementation plan that outlined objectives, activities, timeframes, budget and expected results.

STEP 3:

Torture Prevention Ambassadors implement their individual projects (November 2014 – August 2015)

After the initial meeting, the Torture Prevention Ambassadors returned to their respective NHRIs, finalised their project plans and set to work implementing them. Seed funding of EUR 5,000 was provided to each project. A number of Ambassadors successfully obtained additional financial or in-kind support from their NHRIs to augment their project funding. Regular updates with mentors by email or Skype were held to ensure the Ambassadors could seek advice on unexpected challenges and refine their approach. They also met mentors in person on several occasions during the course of the project implementation stage.

STEP 4:

Mid-project meeting: Ulaanbaatar, Mongolia (August 2015)

The first day of the Torture Prevention Ambassador's three-day meeting was held to coincide with the final day of the APF Biennial Conference, which focused on the issue of torture prevention. This enabled three Torture Prevention Ambassadors (Mongolian Ambassador Gankhuyag, Timor Leste Ambassador Soares, and Korean Ambassador Kim) to present their interim projects to a plenary consisting of around 150 delegates, including representatives from 24 NHRIs across the Asia Pacific region. There was strong interest from the audience through an engaged Q&A session. The remaining days of the meeting were devoted to the Ambassadors sharing updates, individual meetings with Ambassadors and their mentors, and further skill and knowledge development for the delivery of their projects. The group discussed and reflected on issues relating to torture, terrorism and the role of torture in popular culture. Communications experts from the APT and APF led a practical exercise in writing for the web, a direct result of which was the publication of a blog by each Ambassador on the APT and APF websites.

STEP 5:

Project completion, including self-review and evaluation (August 2015 – February 2016)

As projects drew to a close, Torture Prevention Ambassadors completed reports on the outcomes of their individual projects, including their own self-review and evaluation.

STEP 6:

Final meeting and launch of outcome report: Geneva, Switzerland (June 2016)

The final meeting was a chance to reunite the Torture Prevention Ambassador network and jointly review and evaluate good practices, lessons learnt and next steps for both their individual projects and the overall APF-APT project. A side-event at the UN Human Rights Council was held to share good practices with other NHRIs and torture prevention stakeholders from around the world.



Ambassador Jacqueline Ann C. de Guia, Commission on the Human Rights of the Philippines

3. PROJECT OUTCOMES

OUTCOME 1:

A set of good practices has been identified to share with other NHRIs and torture prevention actors across the world

A number of good practices in torture prevention have been identified as a result of this project. These include:

- GOOD PRACTICE 1:** Key individuals within NHRIs can be catalysts for institutional change and inspire broader commitment to torture prevention
- GOOD PRACTICE 2:** Expert mentoring enhances the development of actors for change
- GOOD PRACTICE 3:** Peer-to-peer exchange is effective in sharing and building on good practices
- GOOD PRACTICE 4:** Enhancing communication skills can equip NHRIs to influence public opinion on torture prevention
- GOOD PRACTICE 5:** Developing constructive dialogue with authorities on prevention enhances impact
- GOOD PRACTICE 6:** Every project should be designed with sustainability in mind



Further details of each practice are outlined in Part I, section 4 below. In addition both the APF and APT websites have further documentation from each project. The good practices will be shared within NHRIs, in the Asia Pacific region and beyond. They will complement the existing body of knowledge on the role of NHRIs in preventing torture.³

OUTCOME 2:

The development of a regional network of nine NHRI staff from seven countries that are experts in torture prevention and have the skills, knowledge and motivation to prevent torture

This project creates nine Torture Prevention Ambassadors in the Asia Pacific region. These Ambassadors are ongoing resources for their institutions, for each other, other NHRIs, the APF, APT and for civil society organisations working on the prevention of torture. Their experiences are shared in their NHRIs and there are tangible tools created from their projects.

The development of skills and knowledge for the Ambassadors has been another outcome of the project and includes:

- the development of subject matter expertise in torture prevention
- the ability to engage with leading experts in international human rights law
- experience in direct advocacy with human rights ‘duty bearers’ in the area of torture prevention – primarily law enforcement officials and senior government officials

- experience building relationships with civil society working in torture prevention
- enhanced communication skills, including informal and formal public speaking and engaging with the media
- the ability to successfully manage additional demands of being a Torture Prevention Ambassador with existing work priorities, and
- project management skills, from conception to evaluation phase and the ability to handle budgets and reporting deadlines.

'The [personal] impact of the Torture Prevention Ambassador Project was enormous. Engaging alone with the policemen and being able to dialogue about an unpopular topic is an achievement on its own.'

Philippines Ambassador De Guia

'Personally, there is no question that I have gained many experiences from this project. From studying torture and its consequences deeply, I feel that I have broadening my knowledge and boosted my self-esteem.'

Mongolian Ambassador Gankhuyag



OUTCOME 3:

Seven NHRIs in the Asia Pacific region have enhanced capacity to prevent torture

The focus of this project was individuals as key change agents within institutions. Their involvement, however, was not without the full support of their NHRIs in this project. At the outset, the Institutions committed to the project through a formal MOU with the APF. As each Ambassador's project developed, it became clear that the institutional support and commitment they each gave their Ambassador was more than just symbolic. It was genuine and crucial to the project's success. This support included input and resourcing from other sections within the NHRI (such as the engagement of visitorial mandate in the Philippines, all four of the Korean NHRI departments and the communications team in Australia). The projects' successes are based on the institutional commitment to ensure support for the Ambassadors.

OUTCOME 4:

Seven NHRIs in the Asia Pacific region have, through the outcomes of their projects, reduced the risks of torture and ill treatment in their country.

Measuring the long-term impact of prevention is difficult, with many variables and methodological challenges. However, as outlined in the table opposite, each project had a tangible outcome that can reduce the risks of torture and ill treatment in their country.

Type of impact	Example from Torture Prevention Ambassador projects
Enhanced public and stakeholder awareness of risks of ill treatment and how to reduce them	<ul style="list-style-type: none"> Public more aware of risky immigration detention practices including medical impact (Australia) Academics, policy makers and NHRI more informed about OPCAT (Korea)
Greater awareness about OPCAT as a torture prevention tool	<ul style="list-style-type: none"> Key stakeholders in government, academia and NHRI more aware of OPCAT and steps necessary for ratification (Korea) Stakeholders have heightened awareness of OPCAT, their role and preventive approach (Maldives) New stakeholders engaged in torture prevention (Maldives)
Risky detention practices highlighted	<ul style="list-style-type: none"> Reduction in risks of ill treatment in military mental health hospital and immigration detention through preventive monitoring and follow up (Korea) Immigration detention monitoring conducted, with medical experts reporting on impacts (Australia) Police monitoring visits used to identify and highlight risk factors (Philippines) Prison preventive monitoring visits to pilot manual highlighted risk factors (Mongolia – Gankhuyag)
Effectiveness of OPCAT mechanisms enhanced	<ul style="list-style-type: none"> Mechanism for dialogue and follow up on past and future NPM recommendations established (Maldives) Groundwork laid (through providing a legal opinion, evidence base and engaging with stakeholders) for further advocacy for expanding NPM work to cover additional places of detention (New Zealand) NPM Operational Procedures compiled and translated into English to be shared (Maldives)
Enhanced capacity of NHRI staff to prevent torture and ill treatment	<ul style="list-style-type: none"> Information is recorded in a manner that can be used to identify patterns and trends, and accessed by all NHRI offices (Timor Leste) Staff in regional office better able to capture information on torture and ill treatment during and after monitoring visits (Timor Leste) NHRI staff have skills and capacity to take on NPM role under OPCAT if designated by Parliament (Mongolia – Gankhuyag) NHRI has resources to train current and future staff in detention monitoring (Mongolia – Gankhuyag) NHRI has clear guidance for staff working with police on pressing issues through publication of Advisories relating to police detention (Philippines)
Enhanced capacity of key stakeholders to prevent torture and ill treatment	<ul style="list-style-type: none"> Law enforcement officials have increased awareness of obligations in relation to torture, and recommendations made by international bodies (Mongolia – Purev) Lawyers better equipped to prevent torture and ill treatment through integration of material on torture into Bar Association's regular training programs (Mongolia – Purev) Police officers are less stressed through applying their new-found stress management techniques leading to potential reduction in ill treatment (Philippines) Collaborative relationships enhanced between NHRI and civil society working on prisons (Timor Leste)

4. GOOD PRACTICES

GOOD PRACTICE 1:

Key individuals within NHRIs can be catalysts for institutional change and inspire broader commitment to torture prevention

The overall project is based on observations that an empowered individual can make a big impact. The results of the project have confirmed its validity as an approach. The Ambassadors have used their skills, expertise and drive to inspire, influence and partner with other individuals and organisations to produce tangible outcomes in preventing torture. This approach of empowering individuals can be applied to other country and thematic contexts around the world. For example, an NHRI working on gender-based violence through research could identify and partner with a 'change maker' within government or civil society.⁴

Philippines Ambassador De Guia rallied the support of the Philippines NHRI at the Regional Office and National level to work with all levels of the police force. In engaging with all tiers of the police force, Ambassador De Guia has built trust through listening to concerns and grievances, resulting in dialogue at management and policy-maker level. This approach was welcomed by stakeholders as informed, credible and authentic. Furthermore, this emphasis on informed, strategic relationship building influenced others at all levels and across institutions to develop strategies for change.

GOOD PRACTICE 2:

Expert mentoring enhances the development of actors for change

It was anticipated that this project would be demanding on the Ambassadors and that there would be unexpected challenges along the way. To help address this, expert guidance and support was integrated into the project through assigning a mentor to each Ambassador. This project benefited from two expert mentors: Chris Sidoti, an expert in NHRIs; and Marco Mona, an expert in the field of torture prevention. The mentors worked with the Ambassadors at the three face-to-face meetings and provided consistent feedback and support throughout the project through email and Skype exchanges. Working closely with mentors has also expanded their professional network.

Mentors played a crucial role supporting the Ambassadors to plan their projects at the initial meeting, particularly as Ambassadors initially developed their project ideas in a short space of time. This included a sounding board for project ideas as well as a practical source of guidance in developing project plans and budgets. Mentor Marco Mona, for example, suggested that Ambassador Gankhuyag's NPM detention monitoring manual could be translated into English, and as such disseminated as a resource for existing and potential NPMs across world. This was incorporated in the project, creating a resource that NHRIs can refer to if they are establishing preventive monitoring visits.

'As mentor I was able to assist the Ambassadors in getting access to important UN bodies such as the SPT and obtain their decisive intervention. This included in facilitating Ambassador Michael White's contact with the SPT to obtain an opinion on whether the non-traditional places of detention he examined in his project could be considered places of detention.'

Mentor Marco Mona

'At our first meeting in Sydney it was really helpful to sit with my mentor and talk about the project goal and what I hoped I would achieve. Our discussions helped me narrow my project down to something that was possible.'

Timor Leste Ambassador Soares



GOOD PRACTICE 3:

Peer-to-peer exchange is effective in sharing and building on good practices

A standout outcome of the project was the ability to create a global network of Ambassadors working on the same issue across NHRIs that were able to meet and freely exchange ideas on existing good practice in prevention. This is particularly demonstrated in relation to OPCAT. At the face-to-face meetings, Ambassadors were able to share experiences on OPCAT, which is reflected in the design of the projects. The Projects from Ambassadors from Australia and Korea integrated OPCAT advocacy; the project from the Mongolian Ambassador focused on building the NHRIs' capacity to be a NPM; and projects from Torture Prevention Ambassadors from the longer-standing State Parties of Maldives and New Zealand focused on ways to improve the effectiveness of OPCAT implementation frameworks. Informally exchanging experiences and comparative good practices influenced the way Torture Prevention Ambassadors designed their project.

This project contributes to this body of knowledge on NHRI practice, and the website accompanying this report has links to some of the resources developed by Ambassadors. In collating the lessons learned, NHRIs and torture prevention actors from across the world can draw on this collective experience.

Tools and resources developed through this project have a broader accessibility outside the NHRI, country and region. For example, the Mongolian detention-monitoring guide for new NPMs is available in English and, similarly, the Maldives NPM operational procedures have been compiled and are available in English to share.

'The lessons learnt from the Torture Prevention Ambassador project should be applied in the NHRIs that participated and more widely in other NHRIs, not only in the Asia Pacific region but globally. Our Ambassadors have taught us a lot and their work needs to be disseminated so that the lessons are applied widely. I hope that will be done and that NHRIs themselves, with the support of their Governments and international partners, commit to the further development of this work.'

Mentor Chris Sidoti



Ambassadors Agar-Erdene, Commissioner Kim Young-Hye and Jacqueline Ann C De Guia discuss their projects in the mid-project review meeting in Mongolia

GOOD PRACTICE 4:

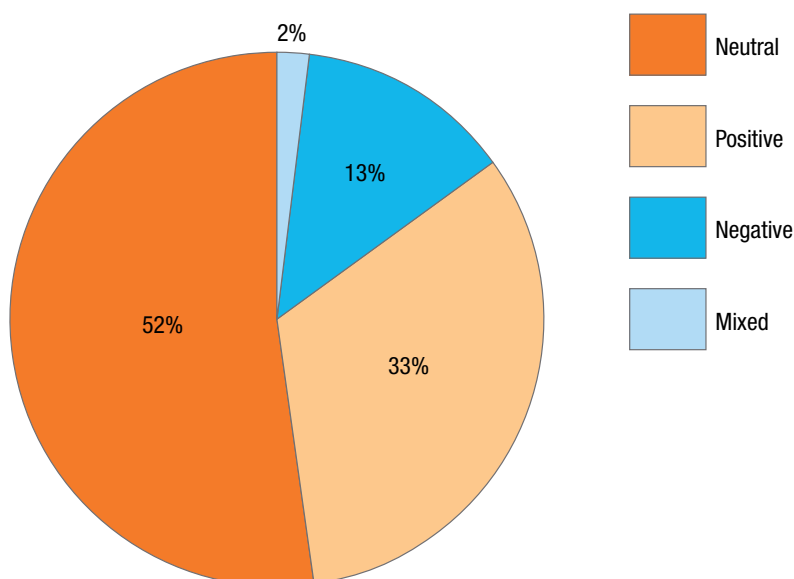
Enhancing communication skills can equip NHRIs to influence public opinion on torture prevention

The Project included training in written and audio-visual communication, using social media, and media interviewing skills. Throughout the project the Torture Prevention Ambassadors used these communication skills to strengthen their projects; tweeting from events and activities; distributing media releases, pieces for newspapers and journals, and conducting TV and radio interviews. Each Ambassador also wrote a blog which was published on the APT and APF websites. Understanding these and other communication tools is important in influencing public opinion about torture and ill treatment. In many countries across the world, public sentiment in support of ill treatment creates a permissive environment where torture and ill treatment are more likely to occur. In this context, addressing public opinion also addresses the root causes.

To raise public awareness on abuse in detention, for example, Korean Ambassador Kim wrote an article for a major daily newspaper. To diversify the target audience, she held a Facebook quiz to coincide with the UN's commemorative day for torture victims, which achieved over 3,000 likes and over 1,000 shares on Facebook.

A communication strategy was central to the project of Ambassadors Sarah Dillon and Prabha Nandagopal from Australia. The problem they were seeking to address was the law and policies requiring mandatory and indefinite detention of unlawful boat arrivals, including offshore, which are designed to deter asylum seekers from coming to Australia by boat. Given the nature of the public debate about asylum seekers, they anticipated that it would be difficult to focus public attention on the human rights of asylum seekers, and the harm caused by the current policies. Proactively developing a communications strategy and drawing on their shared communication skills, they were equipped to effectively disseminate the findings in the Australian NHRI's report from its National Inquiry into Children in Immigration Detention, and draw attention to the need to bring Australia's law and policies into line with its international human rights obligations.

Tone of print coverage from *The Forgotten Children* report featured in Ambassadors' Sarah Dillon and Prabha Nandagopal report



GOOD PRACTICE 5:

Developing constructive dialogue with authorities on prevention enhances impact

This project reinforced a good practice that lies at the heart of the OPCAT: constructive dialogue with authorities is far more likely to yield positive outcomes for detainees than an adversarial approach.

Maldives' Ambassador Dawood attributes her project's success in resurrecting the national platform for following up on the NPM recommendations to 'continued, constructive dialogue' with the government through formal and informal channels. In this way she demonstrated persistence and resilience which ultimately was rewarded when the government designated the CAT and OPCAT Committee.

'With the help of this sort of monitoring visits the NHRI realized that we can build a community against torture and ill treatment, not a hierarchy.'

Mongolian Ambassador Gankhuyag

'It worked well having doctors and other medical professionals speak about the impact of detention, because they are generally not perceived by the public as having a political agenda in commenting on issues within their expertise.'

Australian Ambassadors Dillon and Nandagopal

'The NHRI has MoUs with several law enforcement agencies ... the NHRI has found its own way to effectively interact with police, court decision implementation officers, and prosecutors and that was a fundamental factor in successful implementation of this project.'

Mongolian Ambassador Purev



GOOD PRACTICE 6:

Every project should be designed with sustainability in mind

Although proposed as a 'pilot' project the Ambassadors were able to create sustainable outcomes from their projects. This included formalised inclusion of sustainable products such as training-of-trainers models, manuals, integration of torture prevention into existing operations and developing tools such as NHRI internal guides, handbooks and advisories that will endure beyond the life of the project.

Maldives Ambassador Dawood's project was centred on reviving a framework that would sustain an ongoing feedback loop between the NPM as the detention monitoring body making recommendations, and the detaining authorities as the ones responsible for ongoing follow-up of recommendations. Ambassador Dawood's project successfully contributed to the revival of the CAT and OPCAT Coordination Committee. It envisaged an Operating Guideline to give guidance to those Committee members on their ongoing roles and responsibilities in following up on recommendations.

Mongolian Ambassador Gankhuyag's project responded to an institutional need: that staff turnover limited sustainability of torture prevention work. He designed a detention monitoring manual to address problems.

You can find this report on the APF's website at www.asiapacificforum.net.

'I insisted very much on the sustainability of the projects: so many excellent forces have been awakened during the course of the projects, it would be a real pity to loose the momentum and not to continue to surf on these wonderful waves.'

Mentor Marco Mona

'This project built on work the NHRI is already doing in monitoring police stations and working with police, so the biggest part of the project is the change in mindset rather than a resource heavy demand. In the micro level, I will continue the project at my region because I strongly believe in it.'

Philippines Ambassador De Guia



Mentor Marco Mona and Ambassador Michael White discuss Ambassador White's project

5. LESSONS LEARNED

This pilot project has delivered significant positive results. The project design was effective in that all Ambassadors completed their projects, on time, on budget, and with tangible impacts and positive outcomes. The Ambassadors met all their documentation and self-evaluation requirements.

There are a number of important lessons learned.

- NHRIs will be far more willing, able and enthusiastic in engaging in torture prevention if provided with a structure, professional support and seed funding to do so. The NHRIs were very supportive of Ambassadors and projects. Time off work was provided to attend three face-to-face meetings and in many cases, substantial work time was devoted to working on Torture Prevention Projects. Torture Prevention Ambassadors were able to obtain support from other departments within their NHRI. All of this came about through the entry point of this Torture Prevention Ambassador project. Future projects of this type would benefit from more detailed terms of reference and consultation between all stakeholders to affirm this support, and clarify aspects such as available staff resources.
- Good mentoring enables NHRI staff to develop strategic and operational skills in project planning and implementation and promotes the implementation of activities. Mentoring could be considered more generally across future torture prevention and NHRI capacity development projects.
- An additional face-to-face meeting should be considered to build stronger relationships between Ambassadors themselves and their Mentors. Evaluations indicated that whilst online communication was useful, it is no substitute for face-to-face meetings.
- The Ambassadors have been able to produce remarkable results with a relatively small budget. A common issue shared was around limited resourcing, including finding time to work on their Torture Prevention Project in addition to their usual workload. A larger seed fund, a longer period to implement the project, arrangements for Ambassadors to be released from some of their regular duties, or allocation of additional NHRI support staff are all possible options that could address this issue. A longer project lifespan would allow more monitoring of the Ambassadors' individual project activities and a lengthier reporting phase.
- An important output of the overall Torture Prevention Project was that the Ambassadors collectively produced a pool of resources in a range of languages. In the case of Mongolia, the detention monitoring manual was translated into English in addition to the working languages of Mongolian and Russian. In the case of Maldives, the NPM operational procedures were translated into English. A future project of this type would do well to specifically incorporate translation into planning, funding and resourcing of the project.
- Given the many languages spoken across the Asia Pacific region, it was decided to make the working language for this project English. This is a limitation for some Ambassadors who have English as a second language to communicate their ideas, challenges and concepts. Future projects could be mindful of this constraint on Ambassadors by considering provision of interpretation, or operating at a sub-regional level where a common non-English language may be possible.

Each project was small and run on a shoestring budget. I was amazed at how much could be accomplished with so little, however. That is a lesson learnt! Nonetheless, if torture prevention is to be pursued seriously, then a serious commitment of resources and priorities is required. You can do so much on a shoestring but only so much. The projects with a big impact were those that were mainstreamed into the work of the NHRI and accessed NHRI resources (staff and funds) over and above those provided by the project itself.'

Mentor Chris Sidoti



Part III: The Ambassadors and their individual prevention projects



MEET THE MENTORS



Marco Mona is a Swiss lawyer working in a small law firm in the German-speaking part of Switzerland, primarily serving migrant worker clients. He is a former judge and prosecutor and for the past 30 years has played an important role in developing the global torture prevention movement. He is a past president of the APT and honorary member of the APT Advisory Council, and a former member of the Swiss NPM.



Chris Sidoti is a long-time human rights advocate with non-government organisations including as former Director of the Geneva-based International Service for Human Rights, and former Australian Human Rights Commissioner. He has worked extensively with NHRIs, particularly in the Asia Pacific Region for over 30 years.



Back row from left: James Iliffe, APF Communications Consultant, Michael White, Ambassador – New Zealand
Middle row from left: Rosita Ericsson, APT, Zulaika Dawood, Ambassador – Maldives, Jacqueline Ann C. de Guia, Ambassador – Philippines, Sarah Dillon and Prabha Nandagopal, Ambassadors – Australia, Agar-Erdene Gankhuyag, Ambassador – Mongolia, Sidonio Soares, Ambassador – Timor Leste, Hong Junsik, National Human Rights Commission of Korea
Front row from left: Suraina Pasha, former APF Regional Training Manager, Rebecca Minty, APT Asia Pacific Advisor, Marco Mona – Mentor, Oyunchimeg Purev, Ambassador – Mongolia, Chris Sidoti – Mentor, Kim Young-Hye, Ambassador – Korea

1. AMBASSADORS SARAH DILLON AND PRABHA NANDAGOPAL⁵ – AUSTRALIA

Changing minds, changing laws: Addressing cruel, inhuman or degrading treatment of asylum seekers



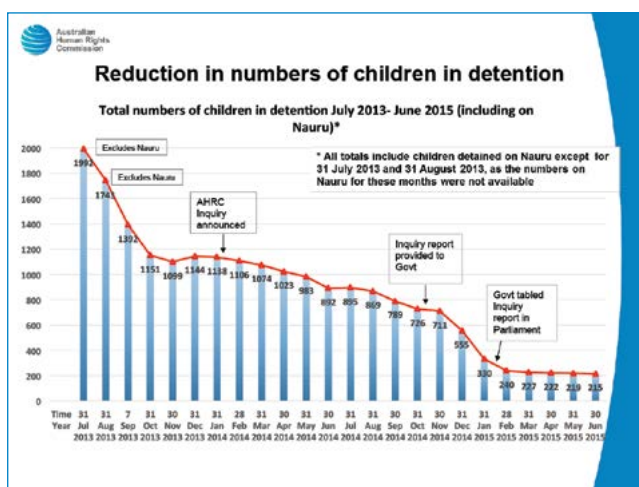
Project type	<ul style="list-style-type: none"> Developing and implementing a strategic program of awareness-raising activities
Focus area for action	<ul style="list-style-type: none"> Mandatory and indefinite immigration detention of irregular boat arrivals, including offshore in Nauru and on Manus Island in Papua New Guinea
Project objectives	<ul style="list-style-type: none"> A heightened public awareness of the deleterious impacts of mandatory indefinite immigration detention on the health and wellbeing of detainees, particularly children, leading to increased public support for reform in this area to make law and policy consistent with international human rights obligations
Project steps/ main activities	<ul style="list-style-type: none"> Public launch of NHRI inquiry's report documenting impact of immigration detention Dissemination of factsheets about children in immigration detention Engagement with the SPT encouraging a visit to offshore immigration detention facilities in Nauru, and facilitating information sharing through an SPT/civil society roundtable Numerous public presentations by NHRI President, staff and medical professional consultants to disseminate findings about the impact of detention Detention centre visit with medical professionals to document impacts on children, and raising awareness around the medical impacts documented on that visit
Outputs	<ul style="list-style-type: none"> Media engagement tools (speeches, releases, factsheets, social media) on immigration detention Letter requesting SPT to visit offshore detention site in Nauru Civil society roundtable to provide information to the SPT about Australia's offshore processing arrangements Paediatricians' report on impact of immigration detention on children
Outcomes	<ul style="list-style-type: none"> Increased awareness amongst public about harmful impact of Australia's current immigration detention practices, particularly on children Increased engagement of medical profession in documenting health impacts of detention, bringing a new, credible and rights-based perspective to policy debate
Sustainability/ next steps	<ul style="list-style-type: none"> Groundwork laid for potential law reform to limit the severity of impact of detention by introducing a time limit for detention of children Growing public advocacy by medical profession to end harmful immigration detention practices A contributing factor to shift in public focus to impact of immigration detention practices

The arrival of asylum seekers at a country's borders is a controversial issue globally. For over 20 years, successive Australian governments have adopted policies aimed at deterring asylum seekers from arriving by boat; namely mandatory, indefinite immigration detention, including offshore on Nauru or on Manus Island in Papua New Guinea. Our NHRI has for several years spoken out against this practice as being contrary to Australia's international human rights obligations. The start of our project coincided with the completion of a national inquiry that our NHRI had conducted into the impact of immigration detention on children. The findings of that inquiry were released in early 2015 in a report entitled *The Forgotten Children*. In our project as Torture Prevention Ambassadors we sought to build on the findings and recommendations of that report in order to raise awareness and contribute to legal and policy change.



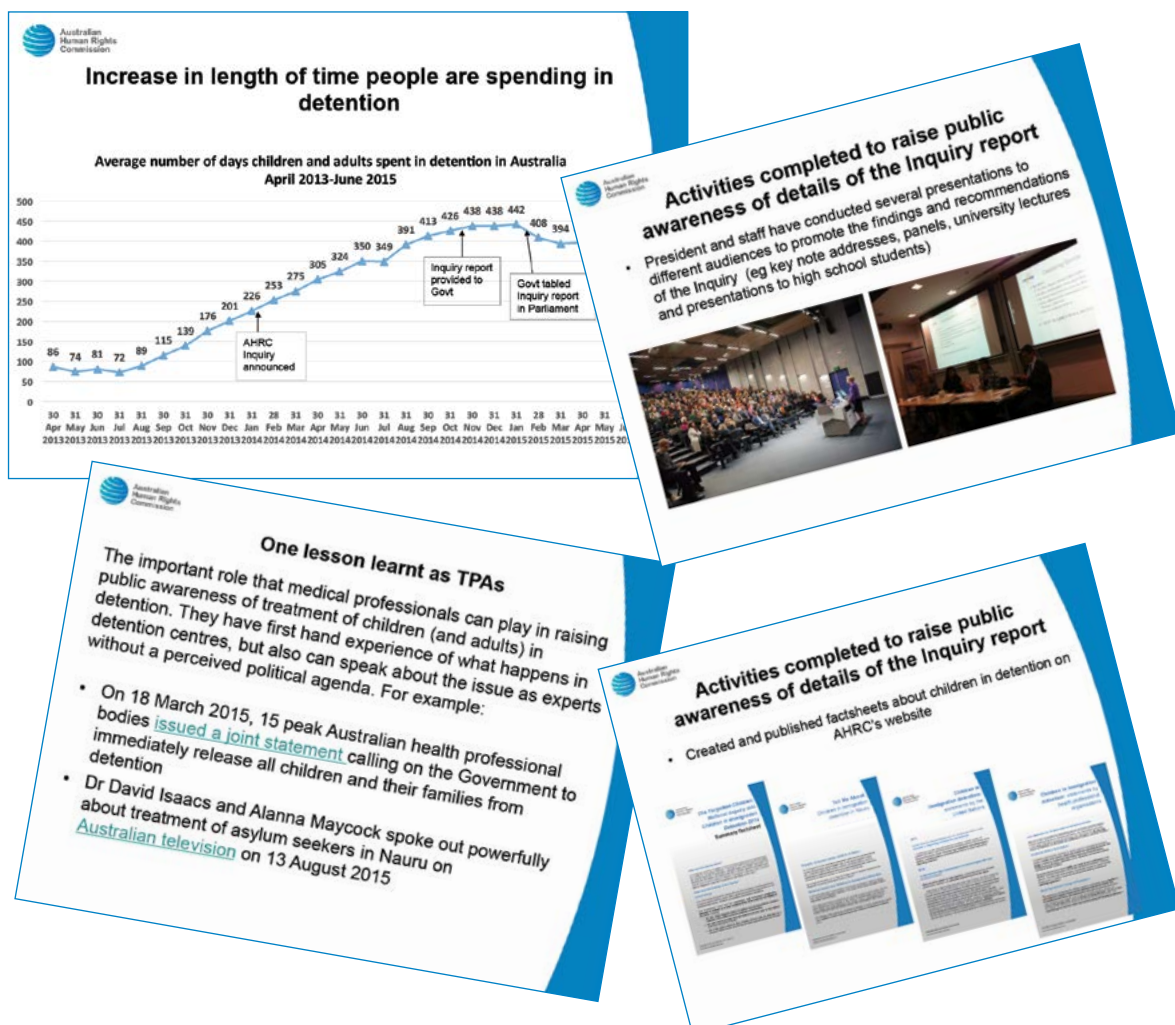
The project objectives were therefore devised around some of the key recommendations from the *Forgotten Children* report: that adults and children be released from closed detention in Australia, and to raise public awareness of the need for changes to Australia's policies of offshore processing and mandatory indefinite immigration detention to make them consistent with Australia's international human rights obligations. We also viewed the SPT as potentially having an important role if it could visit the immigration detention facilities in Nauru and raise any human rights concerns with the Nauruan Government.

Given the nature of the debate about asylum seekers in Australia, it was expected it would be difficult to focus public attention on the human rights of asylum seekers and the harm caused by current policies, even with the credible evidence in the *Forgotten Children* report. Developing an effective communications strategy was therefore a key part of our project. Our messaging was promoted through fact sheets that distilled key findings in the *Forgotten Children* report, media releases, interviews with television, radio and print media and social media by Commission President Professor Gillian Triggs, and numerous public presentations by the Commission President, staff and medical professional consultants. Our NHRI's communications team was crucial in supporting our work and recorded significant reach – for example, 11,637 media reports referring to the *Forgotten Children* report during its release week in March 2015.



The APT stresses the importance of medical professionals being part of detention monitoring teams. However, an innovative element of this project was the involvement of these professionals in promoting public awareness of their findings and concerns about the impact of detention after the monitoring visits they conducted with us. One of the lessons from this project has been the valuable contribution doctors can make to the public discourse. Clear and accurate presentation of the medical evidence of ill treatment by experts can help to focus attention on the harm caused by detention policies. We also engaged with international human rights mechanisms, requesting the SPT visit the immigration detention centre in Nauru, and facilitating a roundtable with the SPT and civil society after its visit.

Following the project there has been heightened public scrutiny and questions raised about the detrimental impacts of Australia's immigration detention and 'offshore processing' policies on asylum seekers, including from the medical profession. The Australian Government has released several hundred people from the closed immigration detention facilities in Australia, and as at 1 April 2016 there were no longer any asylum seeker children in detention in Australia. However, much work remains to see changes in Australia's laws and policies to bring them into line with its international human rights obligations. Our Torture Prevention Ambassadors Project has assisted in honing our communication strategies to raise public awareness about the need for these changes.



2. AMBASSADOR YOUNG-HYE KIM – KOREA

From reacting to abuse and ill treatment in detention to preventing it



Project type	<ul style="list-style-type: none"> • Strengthening the capacity of stakeholders to prevent torture • Strategic advocacy around prevention
Focus area for action	<ul style="list-style-type: none"> • Ill treatment inside the armed forces and in immigration detention facilities, and the need to improve the awareness of the public and government officials about the need for preventive detention monitoring
Project objectives	<ul style="list-style-type: none"> • Improve treatment in military mental health hospitals and immigration detention facilities • Raise public and stakeholder awareness about OPCAT and the need for preventive monitoring
Project steps/ main activities	<ul style="list-style-type: none"> • Onsite inspection on detention and protective facilities • Research / forum to formulate strategies for OPCAT accession • Raising awareness about torture with the public and government officials
Outputs	<ul style="list-style-type: none"> • One military correction institution, five military mental health hospitals and three immigration processing centres visited, followed up by dialogue with authorities on findings and recommendations • Meetings with senior members of military and Ministry of Justice to raise awareness of ill-treatment • Two trainings held on torture prevention, one for 20 police executives and one for 60 military judicial officers • Media and Facebook campaign on 26 June promoting OPCAT • Stakeholder forum on OPCAT to share research and develop strategies for ratification
Outcomes	<ul style="list-style-type: none"> • Reduction in risks of ill-treatment in military correctional facility, mental health hospital and immigration detention through preventive monitoring and follow up • Key stakeholders in government, academia, NHRI and public more aware of OPCAT and steps necessary for Korea to ratify • Increased awareness amongst law enforcement about prohibition and prevention of ill-treatment
Sustainability/ next steps	<ul style="list-style-type: none"> • Project activities were mainstreamed into existing duties of the four departments of the NHRI (investigation, international cooperation, public relations and education). The awareness of these section about prevention has been enhanced and can be sustained through the way they carry out regular work, therefore not requiring additional budget

Against a trend of improving conditions and treatment in detention on Korea, I noticed something alarming: group harassment and physical abuses in military bases had escalated to such a dangerous level that some soldiers were recently beaten to death. In a country that still has compulsory military service, issues around treatment of cadets and how the military treats its vulnerable that were detained in military mental hospitals was a pressing issue. Another area of concern was treatment of immigration detainees. In designing my project, I felt that the OPCAT framework of preventive detention monitoring would be of great benefit in addressing these concerns. Yet I also knew that a big challenge would be changing the mindset of Koreans, many of whom did not see detention as a problem.

To sum up my project I would say it was first about defining the problem of ill treatment in detention through conducting monitoring visits; and second, proposing the OPCAT system as part of the solution. I also wanted to mainstream the preventive approach across all of the NHRIs' departments, in order to ensure sustainability after the project's conclusion.

Building on the NHRIs' existing mandate to visit places of detention, I led teams visiting the Military Correctional Institution, five Military Mental Hospitals and an Immigration Processing Centre. During the visit, we examined the physical environment, treatment and care, and workplace policies and procedures. We physically inspected facilities, interviewed detainees/patients and staff, administered questionnaires, and used checklists to ensure all relevant aspects were considered. We prepared visit reports with recommendations and followed up with authorities.

These preventive visits with recommendations had a concrete impact in improving detention practices, and also provided an evidence base from which I implemented an advocacy campaign for Korea to ratify the OPCAT. Using examples from monitoring visits, I was able to turn discussion on OPCAT from the theoretical to the practical. I advocated for prevention with senior levels of government, including the Navy Chief of Staff and Deputy Minister of Justice, conducted education session for law enforcement while also raising public awareness through a newspaper article and Facebook campaign to coincide with 26 June, the International Day in Support of Victims of Torture.

I would say that a key to the success of this project was mobilising the staff and budget of all four of the NHRIs departments (investigation, international cooperation, public relations and education) in pursuing a common project goal. I feel this is quite remarkable given that each department usually work quite autonomously. I took this approach with sustainability in mind – each department devoted a little of its focus to OPCAT advocacy but not enough to impose a burden on function and duties. And whilst Korea may still be some way off OPCAT accession, this project has given me the ability to plant seeds in many parts of government and society about the importance of preventive detention monitoring to reduce risks of abuse.



Commissioner Kim Young-Hye meeting with stakeholders during her project

3. AMBASSADOR ZULAIKHA DAWOOD, AMBASSADOR JEEHAN MAHMOOD AND AMBASSADOR FATHIMATH IBRAHIM DIDI – MALDIVES⁶

A platform for strengthening
the national OPCAT system*



Project type	<ul style="list-style-type: none"> • OPCAT implementation • Strengthening the capacity of stakeholders to prevent torture
Focus area for action	<ul style="list-style-type: none"> • The lack of a cooperative mechanism for the NPM to follow up on its own recommendations with all relevant stakeholders
Project objectives	<ul style="list-style-type: none"> • Revive the 'National OPCAT Coordinating Committee' as a platform for follow up and implementation of the NPM and SPT's recommendations • Develop Operating Guidelines for the National OPCAT Coordinating Committee • Consolidate the NPMs operation procedures into one manual for internal efficiency and translate into English to enable them to be a resource for other NPMs in the world
Project steps/ main activities	<ul style="list-style-type: none"> • Ongoing dialogue and advocacy with government to revive the National OPCAT Coordination Committee • Awareness raising amongst COCC members about OPCAT, the NPMs role and how the NOCC should operate. Training the members of the NOCC in their roles • Consolidation of Operational Procedures and translation into English
Outputs	<ul style="list-style-type: none"> • Official designation of the CAT and OPCAT Committee by the President • Commitment from Home Affairs to develop the NPM initiated NOCC operating guidelines • Sensitization and orientation program from CAT and OPCAT actors held • NPM Operational Procedures compiled and translated into English to be shared
Outcomes	<ul style="list-style-type: none"> • Mechanism for dialogue and follow up on past and future NPM recommendations revived through the NOCC • NOCC stakeholders have heightened awareness of OPCAT, their role, and preventive approach, thanks to sensitization and development of guidelines • New stakeholders engaged in NOCC platform (Inspector General; Integrity Commission) • Maldives extensive experience as an NPM shared through compilation and translation into English of NPM Operational Procedures
Sustainability/ next steps	<ul style="list-style-type: none"> • NOCC structure in place for ongoing follow up of NPM and SPT recommendations • Share technical expertise of Maldives NPM through dissemination of their Operational Procedures to other NHRIs and NPMs around the world

* Commissioner Jeehan Mahmood and Fathimath Ibrahim Didi were originally part of the TPA project. The project was finalised by Zulaikha Dawood.

To explain the project that my former colleagues, Commissioner Jeehan Mahmood and Fathimath Ibrahim Didi devised, which I subsequently took on, it is helpful to go back to 2003. In that year, there were serious prison riots that resulted in brutal force by the State, resulting in death and injury of inmates. Demonstrations in the Maldives capital, Male ensued, with protesters calling for an investigation into this incident and broader detention reform. Eventually, popular pressure led to democratic reforms and a new constitution. In 2006, the Maldives NHRI was established and the OPCAT was ratified with the NHRI designated as the NPM. Over the next few years, places of detention in the Maldives were scrutinised as never before by the NPM and the SPT – resulting in a large body of recommendations to prevent torture and ill treatment.

One of the most important measures put in place in the first few years of functioning as a NPM was the establishment of a National OPCAT Coordination Committee (NOCC), consisting of focal points from each relevant authority with responsibility for following up on the NPM (and SPT's) recommendations. This included actors such as the Department of Justice, the judiciary, Home Affairs and others. This important Committee acted as a platform for dialogue between key stakeholders and a forum to enable the NPM to continually follow up on its own and the SPT's recommendations. However, political unrest from the end of 2011 until 2013 rendered this mechanism ineffective.

The goal of our project was therefore to revive the NOCC as a forum for key torture prevention stakeholders to engage in effective dialogue on implementing recommendations to improve conditions and treatment in detention. We had intended that the revival of the NOCC would come about through a national OPCAT Dialogue, but instead, the President directly designated a committee to cover both implementation of obligations under both the UN Convention Against Torture and the OPCAT (called the CAT and OPCAT Coordinating Committee, or COCC). I was able to adapt the project to organise a two-day Sensitisation and Orientation program for the CAT and OPCAT Actors, with former NHRI Commissioner and previous Ambassador Jeehan Mahmood involved as a resource person. The Ministry of Home Affairs has taken up the role of developing Operating Guidelines for this Committee. It is a positive development that there is support within government to have structures in place that provide a forum for regular discussion of torture prevention issues.

As one of the longest serving NPMs in the world we have developed quite a body of operation procedures. We saw this project as an opportunity to consolidate these and translate them from our local language of Dhivehi into English so they could be used as a resource around the world. It is my hope that, as an example, when the Mongolian NPM is functioning, they might provide a useful example of operating procedures that have assisted our preventive monitoring work.



4. AMBASSADOR OYUNCHIMEG PUREV – MONGOLIA

Enforcing the law, preventing torture



Project type	<ul style="list-style-type: none"> Strengthening the capacity of stakeholders to prevent torture
Focus area for action	<ul style="list-style-type: none"> The gap between prohibition of torture in the law and everyday practices of law enforcement officials
Project objectives	<ul style="list-style-type: none"> Develop sustainable approaches to training law enforcement in torture prohibition and prevention Enhance key actors knowledge about relevant UN recommendations relating to torture and an NPM
Project steps/ main activities	<ul style="list-style-type: none"> Develop a resource on and train stakeholders about recommendations to the government of Mongolia arising from the UPR and Committee Against Torture reviews relating to torture prohibition and prevention Develop and deliver a training-of-trainers on torture prohibition and prevention Raise public awareness on torture through press releases, interviews with national TV and print media
Outputs	<ul style="list-style-type: none"> Handbook for law enforcement officials compiling torture-specific UPR and CAT Committee recommendations developed and distributed to 14 organizations Over 400 enforcement officials trained in torture prevention in three different sessions ToT manual developed and 21 trainers from NHRI provinces trained 34 engagements with media including interviews with radio, newspapers and magazines Inclusion of thematic issue of torture in Mongolian Bar Association ongoing training curriculum for all Mongolian lawyers
Outcomes	<ul style="list-style-type: none"> Key stakeholders including NHRI and law enforcement bodies have increased awareness of State obligations relating to torture, through compilation, dissemination and training on recommendations made UPR and CAT Committee
Sustainability/ next steps	<ul style="list-style-type: none"> Likelihood of ongoing training on torture enhanced through the use of ToT module and integration of torture into curriculum of Bar Association's regular training programs

Having completed my PhD in the area of torture, working at the Public Prosecutor's Office and as a Commissioner in the Mongolian NHRI since its inception in 2001, I was familiar with the topic of torture prevention. I designed my project around two related flaws I had identified in the torture prevention system in Mongolia. Firstly, the legal framework was not watertight – although the Mongolian Criminal Code guarantees the right to be free from torture, the offence of torture does not comply with the requisite elements of the offence under the UN Convention Against Torture (CAT). As a result, perpetrators were able to commit torture with impunity and cases of torture were treated as less severe crimes. Secondly, regardless of an overarching prohibition in law (flawed as it was), torture and ill treatment occur all too often. Our NHRI had received over 4,300 complaints since its inception, and 13 per cent of these concerned alleged acts of torture committed by criminal police officers, investigators and case registrars. A number of UN mechanisms had made specific recommendations to Mongolia relating to prevention of torture that provide guidance in law reform. My project sought to draw on these recommendations to improve prevention of torture in law and practice.

I focused this project on training law enforcement officials, because I find it very important to have a direct interaction with potential perpetrators through the human rights education activities in order to prevent acts of torture and ill treatment in the future. Previously, there were no torture-specific published international norms and recommendations, so I published all the relevant recommendations from UPR and CAT Committee reviews of Mongolia. Now we have an authoritative guidance for Mongolian law enforcement on international standards and recommendations. I also promoted the torture message in all my media engagements, which helped raise the profile of this issue.

I also had sustainability in mind and so developed and implemented a 'training of trainers' module that included developing a manual. Another way this project was able to institutionalise training, was by obtaining agreement between the NHRI and the Mongolian Bar Association to include human rights topics in the official training courses for lawyers, including the topic 'the right to be free from torture'. This training is an essential part of Mongolian lawyers' ongoing accreditation and thus this has the potential to reach a large number of lawyers; over 5,000 lawyers are registered in Mongolia's capital Ulaan Baatar alone.

In carrying out this training, my project has improved the knowledge of law enforcement officials about their obligations under international law. I think an important reason for the success of my project was the longstanding good cooperation between the NHRI and law enforcement. For a number of years, we have had MOUs in place with different law enforcement agencies and so we had built a relationship of trust at a personal and institutional level.



Commissioner Oyunchimeg Purev training law enforcement officials

5. AMBASSADOR AGAR-ERDENE GANKHUYAG – MONGOLIA

A manual for preventive monitoring



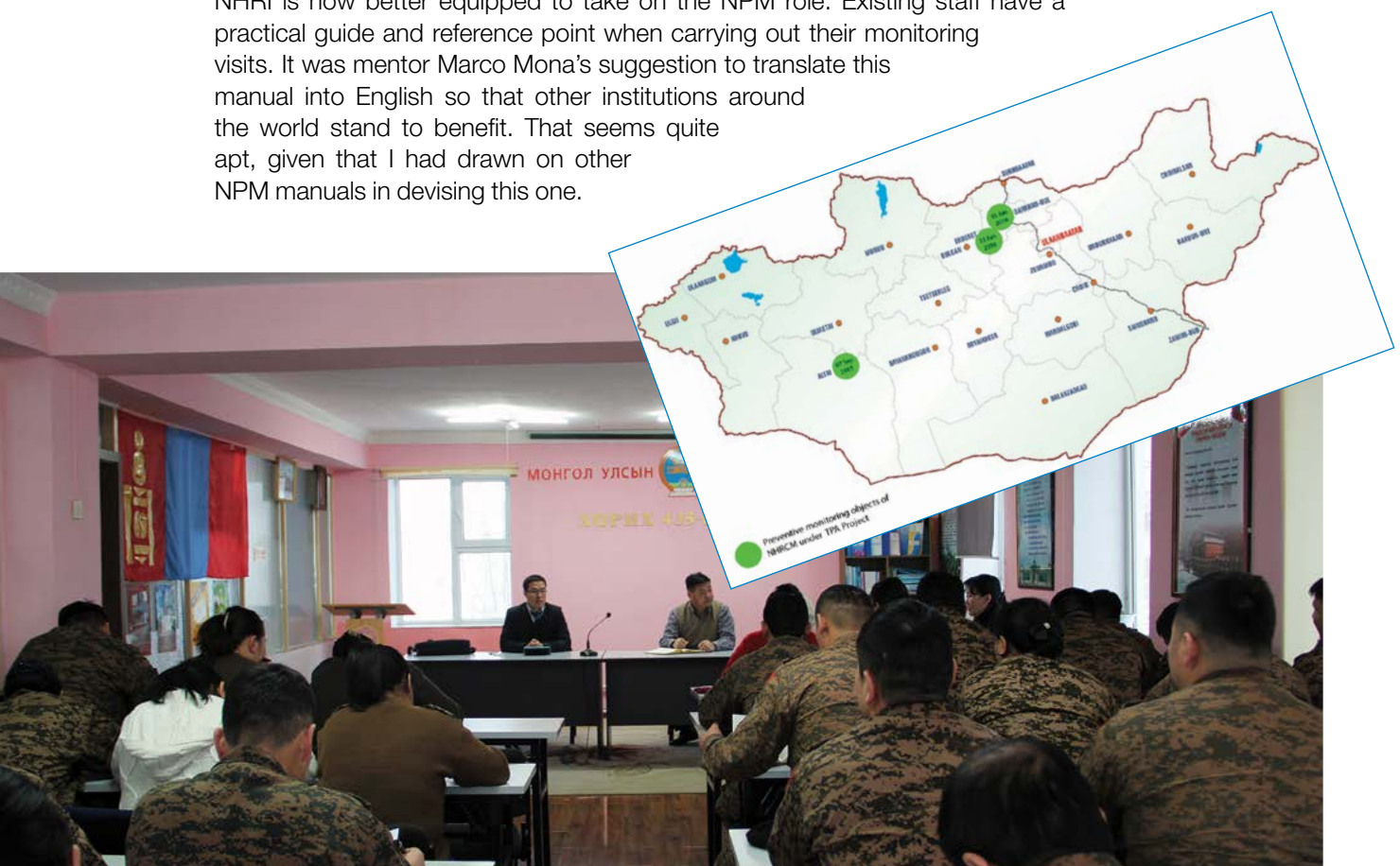
Project type	<ul style="list-style-type: none"> • OPCAT implementation • NHRI capacity strengthening
Focus area for action	<ul style="list-style-type: none"> • Lack of NHRI capacity to conduct preventive detention monitoring in preparation for its likely designation as the NPM under OPCAT
Project objectives	<ul style="list-style-type: none"> • Build the capacity of current and future NHRI staff to undertake the role of NPM under the OPCAT through developing a prison monitoring manual and training staff on its use
Project steps/ main activities	<ul style="list-style-type: none"> • Draw on comparative international experience to prepare a detention monitoring manual • Train NHRI staff on use of manual • Conduct preventive monitoring visits utilizing the manual
Outputs	<ul style="list-style-type: none"> • Training manual on detention monitoring prepared in Mongolian, Russian and English and printed • Two in-house trainings for staff in use of manual for total of 35 staff • Three preventive monitoring visits conducted to pilot the manual
Outcomes	<ul style="list-style-type: none"> • NHRI has the capacity to take on NPM role under OPCAT if designated by Parliament • NHRI has resources to train current and future staff in detention monitoring • English version of manual as a useful reference for other NHRIs around the world taking up NPM role
Sustainability/ next steps	<ul style="list-style-type: none"> • Manual can be shared internationally with other NHRIs interested in preventive detention monitoring or taking on NPM role • Manual itself is a resource for future staff reference and training

When designing my Torture Prevention Project, I knew that OPCAT ratification by the Mongolia Government was imminent. A few weeks after the initial Torture Prevention Ambassador meeting in Sydney, the anticipated ratification came through. Although the enabling legislation that will empower our NHRI to take on the role of NPM under the OPCAT has not yet been passed, it is highly likely. I addressed the question of how our NHRI could develop the skills, knowledge and motivation to carry out the role of a NPM.

In the project design phase, I reflected on the opportunities and challenges our NHRI faced. Staff knowledge about torture prevention and detention monitoring was a strength. So too was the willingness of various departments of the NHRI to work collaboratively. A challenge for the Mongolian NHRI, like many other institutions, is high staff turnover. Each time an experienced colleague moves on they take with them knowledge and institutional experience and it is a significant investment for NHRIs to build that up again from scratch. A capacity assessment exercise that the Mongolian NHRI had conducted jointly with APF in 2011 had noted the importance of manuals as a way to build staff capacity. Manuals can consolidate knowledge, set out policies and provide guidelines for approaching human rights issues. From this came my idea to develop a manual to build institutional capacity to take on the role of NPM.

With expert guidance from my mentor Marco, I developed the manual and 35 staff were trained to use it. We then conducted three pilot preventive monitoring visits using the methodology in the manual, and the manual was adapted based on critical reflection from those visits. In addition, during those visits we were able to identify a number of flaws within the detention institutions, such as registers, conditions and other operations. Because of this, recommendations for improvement were sent to the Court Decision Implementing Authority of Mongolia.

This project has resulted in an improvement in the skills and knowledge of NHRI staff, and benefits that have flowed from preventive monitoring visits conducted to date. In my view, the NHRI is now better equipped to take on the NPM role. Existing staff have a practical guide and reference point when carrying out their monitoring visits. It was mentor Marco Mona's suggestion to translate this manual into English so that other institutions around the world stand to benefit. That seems quite apt, given that I had drawn on other NPM manuals in devising this one.



Ambassador Agar-Erdene hosting training

6. AMBASSADOR MICHAEL WHITE – NEW ZEALAND

Expanding the scope and reach of OPCAT monitoring



Project type	<ul style="list-style-type: none"> • OPCAT implementation
Focus area for action	<ul style="list-style-type: none"> • The lack of oversight of aged care facilities and disability residences resulting in a heightened vulnerability of older people to ill treatment
Project objectives	<ul style="list-style-type: none"> • Investigate whether OPCAT monitoring in New Zealand can be expanded in scope to address existing gaps where elderly and others groups are vulnerable to abuse
Project steps/ main activities	<ul style="list-style-type: none"> • Identifying and analysing the problem through desk-based research and interviews • Conduct comparative analysis and seek input from UN experts • Map out scope of existing coverage of OPCAT NPM detention monitoring and identify gaps • Drafting and finalization of report, and conduct advocacy around findings
Outputs	<ul style="list-style-type: none"> • Publication of a report containing conclusions on scope of detention monitoring obligations of NPMs under international law and ways forward in New Zealand context • Enhanced awareness about the gaps in detention monitoring system in New Zealand and the issue of abuse and ill-treatment of elderly and other vulnerable groups from a human rights perspective amongst NPM, government and civil society stakeholders
Outcomes	<ul style="list-style-type: none"> • Groundwork laid (through providing a legal opinion, evidence base, and engaging with stakeholders) for further advocacy for expanding NPM work to cover additional places of detention
Sustainability/ next steps	<ul style="list-style-type: none"> • The NHRI has committed to continuing to advance this issue including through disseminating project findings through media and other channels • Framework for follow up on project findings to be developed and integrated into ongoing work of NPM • Report to be shared with other NHRIs to assist in their work developing their mandate to cover places non-traditional places of detention

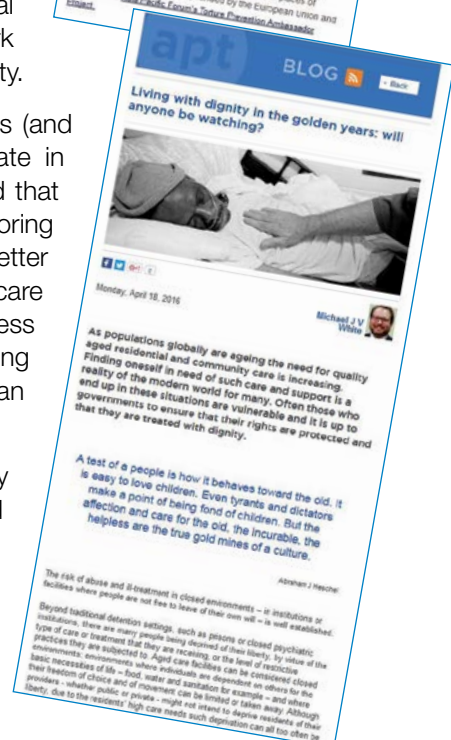
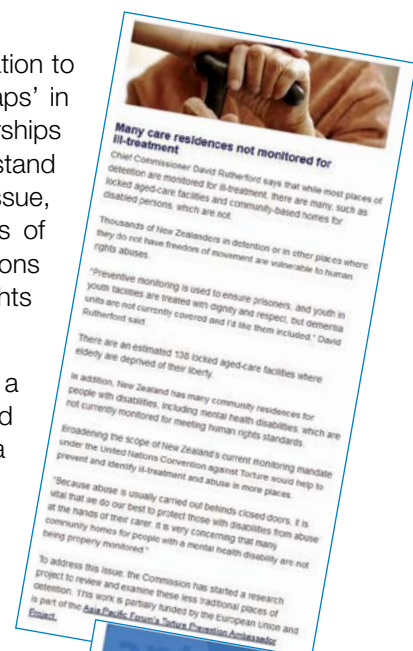
Freedom of movement is a fundamental human right that can only be limited by States on necessary, proportionate grounds. Traditionally, deprivation of liberty refers to arrests, detention, imprisonment and psychiatric internment. Over time, however, there is growing understanding that there are other places (residences and facilities) where a person may, in effect, be deprived of his or her liberty. Illustrative examples are facilities where people reside subject to a legal substitute decision-making process, such as locked aged care facilities, dementia units, compulsory care facilities, community-based homes and residences for disabled persons, boarding schools and other situations where people are placed under temporary State care or supervision. People detained in these facilities are potentially vulnerable to ill treatment that can remain largely invisible, particularly if there is no oversight mechanism already in place. New Zealand as a State party to the OPCAT has a relatively robust monitoring framework. However, it excludes these less traditional places of detention. In light of growing concerns in New Zealand about the vulnerable in aged care and similar facilities, my project considered whether the scope of the OPCAT should be expanded to include monitoring of aged care facilities and disability residences.

A key part of my project involved gathering and analysing information to better understand the nature and scope of these monitoring 'gaps' in New Zealand. Through this process, I developed valuable partnerships with civil society and others working in this field. To better understand comparative practices and the state of international law on this issue, I obtained expert advice including legal opinions from members of UN treaty bodies such as the Committee on the Rights of Persons with Disabilities, the Committee Against Torture, the Human Rights Committee and the SPT.

Based on the evidence gathered, my conclusion was that there was a gap in New Zealand's preventive monitoring framework that needed to be addressed. On a practical level, the project has provided a robust and evidence-based business case for strengthening NPM monitoring capabilities to include aged care facilities and disability facilities. I am, though, the first to admit that this project is very much the start of the journey to achieve long-term change. However, our NHRI is committed to this issue. We will disseminate the final project report, and integrate the findings into the ongoing work of the New Zealand NPM as a way to ensure some sustainability.

This project will also be available more widely for other NHRIs (and OPCAT NPMs) to assist in their work and where appropriate in developing/confirming the scope of their mandate. It is hoped that this will lead over the long term to more systematic monitoring of such facilities worldwide. This in turn would lead to the better protection of rights for older people and disabled people in care situations and enable them to live with dignity. Treating these 'less traditional' places of detention as within the ambit of monitoring under the OPCAT is an emerging area of international human rights law.

This project has given me an opportunity to take a step away from my day-to-day work as legal advisor at the NHRI and make what I hope is a useful contribution to the development of human rights law in this area.



7. AMBASSADOR JACQUELINE ANN C. DE GUIA – PHILIPPINES

Partnering with the police for prevention



Project type	<ul style="list-style-type: none"> Strengthening the capacity of stakeholders to prevent torture
Focus area for action	<ul style="list-style-type: none"> The mundanity of torture as an everyday occurrence in police stations across the country, often caused by stresses that police officers face on a daily basis
Project objective	<ul style="list-style-type: none"> Improve police welfare to trickle down to result in benefits in the way detainees are treated, thus reducing risks of torture and ill-treatment
Project steps/ main activities	<ul style="list-style-type: none"> Conduct regular preventive visits in select police detention facilities across the country and hold an orientation on human rights, gather information on the conditions of police detention facilities and the stressors faced by police officers across the country by conducting focus group discussions (FGD) with the police and as part of this, deliver a training on stress management to give police officer tools for immediate impact Feed information on police officer grievances to regional commanders and encourage them to identify issues they can address at their level through a Regional Consultative Based Dialogue (RCBD) Brainstorm key issues and priorities at a national level with key actors from NHRI, Police, legislators, judiciary and executive through a National Summit on the Prevention of Torture
Outputs	<ul style="list-style-type: none"> 11 regions of the NHRI conducted visits to more than a 100 police stations across the country that included an Orientation on Human Rights, Focus Group Discussion between NHRI and police to better understand police welfare concerns and give them basic stress management tools Regional Consultative Based Dialogue held to feed police concerns to officials at the regional command National Torture Prevention Summit held with key stakeholders to consider key issues raised at local and regional level Development of three NHRI Policy Advisories and one NHRI Position Paper on key issues relating to NHRIs work with the police and detention monitoring
Outcomes	<ul style="list-style-type: none"> Increased awareness of police officers about the impact of stress on the way they treat detainees Police officers equipped with some tools to handle their own stress leading to potential reduction in ill-treatment Greater awareness amongst regional command and key actors at national level of causes of ill-treatment in police stations and identification and prioritization of strategies to address NHRI staff working with police have clear guidance on key approaches through Policy Advisories Improved relationship and cooperation between NHRI and police in response to this project's 'paradigm shift' of working as partners rather than adversaries
Sustainability/ next steps	<ul style="list-style-type: none"> Three NHRI Policy Advisories and one NHRI Position Paper to be utilized by NHRI staff for future reference. Interest in continuing the Torture Prevention Ambassador role within the NHRI Ambassador Jacqueline to continue essence of the project through her ongoing engagement with the police in her work

The penitentiary system in the Philippines is complex. There are more than 1,000 police stations in every locality which have detention facilities apart from district, provincial and national jails. Unfortunately, detainees stay longer than contemplated by law, sometimes weeks to months, in these police detention facilities. The conditions of the facilities in most cases are deplorable. Sadly, not many are aware that these poor conditions amount to cruel, inhumane and degrading treatment or punishment (CIDT) under the Convention Against Torture. Moreover, there is no budget allocated for the food of detainees since the law envisaged in the past that the detention facilities shall only be temporary in nature. There is also no uniform register maintained across the country and the training of the police as jail custodians has been overlooked. Interestingly too, while I was conceptualizing the project during the initial meeting in Sydney, Professor Danielle Calermajer discussed that work overload, lack of compensation, personal problems, pressure from work and stress in general, may contribute to the occurrence of torture.

Hence, I devised my project around the following theory of change: 'if the welfare of the police is uplifted through addressing their issues and challenges (i.e. lack of proper facilities, budget, training and stressors), the prevention of torture shall likewise be promoted.' This entailed a paradigm shift both for our NHRI and the police since the project sought to engage the cooperation of the police as duty bearers by framing the language of torture prevention positively. I also wanted my project to have an immediate impact to ensure policy change, starting from the local police detention facilities, and extending to a system-wide national policy. I also ensured that three mandates of my NHRI – education and training by Information Officers, Jail Visitation by Investigators and its recommendatory role through the formulation of Advisories or Position Papers by lawyers – were integrated in the project.



My project started at the level of local police stations which was carried out by the NHRI's regional offices. It consisted of the conduct of Preventive Visits, use of a Supplemental Jail Questionnaire specially designed for the project, brief orientation on human rights and torture prevention through an audio visual presentation, conduct of a Focus Group Discussion with police officers focusing on discovering what were their daily concerns and theories on the occurrence of torture. We also included a presentation on stress management to give them some practical tools to reduce stress for immediate impact. The second phase of the was the conduct of a Regional Consultative Based Dialogue (RCBD) during the International Day in Support of Victims of Torture which were simultaneously held all over the country. During the event, police management identified grievances that they can address at their level. The project culminated in a National Summit on Torture Prevention in February 2016 when senior management of the NHRI and key national actors in the government came together for the presentation of the four Advisories and one Position Paper I have drafted to address the issues earlier identified and to respond to these concerns as well as identify good practices and strategies for prevention.

The data gathered from the jail visits conducted and in the focus group discussions held showed that the issues and challenges faced by the police were also similar to the factors they have identified as contributing to the occurrence of torture. The project consolidated this information to compile four Advisories and one Position Paper which were given to the police and relevant government agencies to encourage them to adopt measures to address the deficiencies in police custodial facilities. One Advisory focused on the right to adequate food for detainees; another urged the police to adopt a uniform register of detainees and ensure a human rights-based approach in the handling of detainees; while the last advisory encouraged the government to provide for the construction of model police stations with detention facilities that comply with the Mandela Rules. The Position Paper of the NHRI supported the modernisation of the police force emphasising the need for human rights-based policing.



8. AMBASSADOR SIDONIO SOARES – TIMOR LESTE

Tackling torture in Timor Leste



Project type	<ul style="list-style-type: none"> NHRI capacity strengthening
Focus area for action	<ul style="list-style-type: none"> The lack of systems in place for the NHRI to effectively capture data gathered from places of detention during monitoring visits
Project objectives	<ul style="list-style-type: none"> To build capacity of NHRI to gather and record information on torture and ill-treatment through monitoring work Build partnerships between NHRI and civil working in prisons
Project steps/ main activities	<ul style="list-style-type: none"> Training regional office staff in use of technology to gather and record data Training in national office for staff on how to use detention monitoring templates, tools and checklists to gather data Hold a Prison Network Meeting to work with civil society on prison issues
Outputs	<ul style="list-style-type: none"> Staff of regional NHRI office trained in how to use data gathering tool to record data gathered from monitoring visits Staff of national office trained in a consistent approach for gathering and recording information gathered on monitoring visits NHRI led 'Prison Network Meeting'
Outcomes	<ul style="list-style-type: none"> Staff in regional office better able to capture information on torture and ill-treatment during and after monitoring visits Information is recorded in a manner that can be used to identify patterns and trends, and accessed by all NHRI offices Collaborative relationships between NHRI and civil society working on prison issues enhanced through sharing of information relating to detention at 'Prison Network Meetings'
Sustainability/ next steps	<ul style="list-style-type: none"> Data gathering methods staff have been trained in will be utilized in future as detention monitoring is part of NHRIs strategic plan until 2018 Continuation of 'Prison Network Meeting'

The role of NHRIs is to protect and promote human rights and to prevent violations, but how can this be done more effectively?

One way is to improve monitoring and collection of data. Another is to work in partnership with civil society working on prison issues. My Torture Prevention Ambassador project sought to do both these things.

The Timor Leste NHRI monitors human rights violations, such as cases of torture and ill treatment by security forces. For example, between March and August 2015 there was a joint operation of security and police forces against so called 'illegal' groups. Our NHRI collected information on allegations of torture and ill treatment. NHRIs are supposed to have good systems, or internal mechanisms, to guarantee accountability for all cases that have been registered. It should also be easy to find and follow up on all the recommendations that have been submitted to relevant authorities. For us, this was a major challenge. The information had to be stored safely, but we did not have a good system to monitor and collect data on torture.

Therefore, for my Torture Prevention Ambassador's project, I decided to focus on improving the internal capacity of our NHRI for collecting and filing data on human rights violations. Because of the project, we have now developed a database and a filing system and trained staff on how to maintain and use it. We now not only have access to accurate data ourselves, but can also provide others with information. Previously, when non-governmental organisations requested statistics on cases of torture and ill treatment, we could not give them reliable numbers. A key lesson learned from the project is that in order to address torture, NHRIs need to strengthen their own capacity, understand the value of accurate data and develop the tools and resources they need to carry out the work.

My project also improved our NHRIs' relationship with NGOs working in the area of prisons. We held a Prison Network Meeting to share information between the Timor Leste NHRI and civil society representatives. It was a chance for everyone to raise issues of concern and challenges they face in their work in prisons. It was also a chance for us to start to share some of the data we are gathering and recording, and to see if civil society also observes similar problems in prison. These meetings will continue after the Torture Prevention Ambassador project has finished which will be good to keep the partnership going.



Ambassador Sidonio Soares' prison network meeting

Endnotes

- 1 The training manual *Preventing Torture: An Operational Guide for National Human Rights Institutions* can be found on the APF website at: www.asiapacificforum.net/resources/preventing-torture-operational-manual-national-human-rights-institutions.
- 2 The videos on the CD-Rom of the *Preventing Torture: An Operational Guide for National Human Rights Institutions* can be found on APF's YouTube channel at: www.youtube.com/user/AsiaPacificForum.
- 3 For example, the APF-APT manual *Preventing Torture: An Operational Guide for National Human Rights Institutions*, and from the African Network of NHRIs (NANHRI) the 2016 APT-NANHRI publication *Preventing torture in Africa: Lessons and experiences from National Human Rights Institutions*.
- 4 In preventing torture in particular, identifying change agents within law enforcement has been found to be a highly effective approach. This is supported by the work of Danielle Celermajer from the University of Sydney on a three-year EU funded research project into addressing root-causes of torture. Danielle was present at the initial meeting in August to share insights from the research with the Ambassadors.
- 5 Sarah Dillon and Prabha Nandagopal were joint Torture Prevention Ambassadors, carrying out one Torture Prevention Project.
- 6 The expiration of Jeehan Mahmood's term as Commissioner and Fathimath Ibrahim Didi' move overseas for professional reasons led to the hand over of Torture Prevention Ambassador role to Zulaikha Dawood in 2015. Jeehan and Fathimath were responsible for the project design and initial implementation, and Zulaikha carried on the project including adapting it to meet current situations. The instrumental role all three played at different phases of the project is acknowledged.



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