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CIVIL AND POLITICAL RIGHTS

TORTURE AND DETENTION

United Nations Voluntary Fund for Victims of Torture

Report of the Secretary-General*

* This document was submitted after the deadline specified in the relevant resolutions of the General Assembly so as to permit verification of contributions paid into the Fund since the preparation of the report of the Secretary-General on the Fund to the General Assembly (A/57/268).

Summary

This report supplements the annual report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture to the General Assembly (A/57/268), which will be available at the fifty-ninth session of the Commission on Human Rights. The report to the General Assembly contains information about the recommendations adopted at the twenty-first session of the Fund's Board of Trustees in May 2002 and the implementation of the decisions approved by the Secretary-General in July 2002, in addition to statistics on the first 20 years of contributions to the Fund (1982-2002). This report to the Commission contains information about Fund activities between 22 July 2002, the date of preparation of the report to the General Assembly, and 16 January 2003; new contributions available for the twenty-second session of the Board (12-28 May 2003); pledges; trends over the last few years; financial needs estimated by the Board for its twenty-second session; the need for international funding; good practices; the Board's fund-raising activities; the implementation of decisions taken at the twenty-first session; other Fund activities since the preparation of the annual report to the General Assembly; and the recommendations to donors by the General Assembly, the Commission, the Secretary-General, the High Commissioner for Human Rights and the Board designed to meet the growing need for assistance for torture victims and their relatives. A brief addendum is due to be submitted to the Commission in March 2003 to keep it abreast of new contributions received in time for the twenty-second session of the Board.

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Introduction

1. Pursuant to the arrangements adopted by the General Assembly for the management of the United Nations Voluntary Fund for Victims of Torture (hereinafter “the Fund”) and the relevant resolutions of the General Assembly (36/151, 56/143 and 57/200) and the Commission on Human Rights (2002/38), in July the Secretary-General prepares an annual report for the General Assembly and in December a supplementary report for the Commission. The report to the Assembly indicates the voluntary contributions paid that have been recorded by the Treasurer of the United Nations in time for the annual session of the Board of Trustees of the Fund (hereinafter “the Board”); the recommendations adopted by the Board at its annual session in May, as approved by the Secretary-General; expenditure from the Fund pursuant to decisions of the Secretary-General; and pledges for the next session of the Board.

2. The most recent annual report on the Fund (A/57/268), prepared on 22 July 2002, was submitted to the General Assembly at its fifty-seventh session. In addition to the recommendations adopted at the Board’s twenty-first session, from 13 to 27 May 2002, the implementation of the decisions approved by the Secretary-General and the list of organizations supported by the Fund in 2002, the report provided information on the first 20 years of contributions to the Fund, from March 1982 to July 2002, thereby supplementing and updating the report on the first 10 years of Fund activities (A/48/520, annex I). Fund procedures are confidential in order to protect victims of torture and their relatives who receive assistance through the Fund and the professional secrecy of those who assist them, for example physicians, nurses, social workers and lawyers. However, the report provides much detailed information on, inter alia, the procedures and instructions which project managers must adhere to; the activities of the Board and the secretariat of the Fund; and statistical information on the type of assistance provided, which indicates the impact of the Fund’s activities on the annual assistance provided by approximately 200 organizations to some 80,000 torture victims and their relatives all over the world. After considering this report, the General Assembly adopted resolution 57/200 on 18 December 2002.

3. The annual report on the Fund and General Assembly resolution 57/200 will be available at the fifty-ninth session of the Commission.

I. FINANCIAL SITUATION

A. Contributions available for the twenty-second session of the Board

4. Contributions received before 13 May 2002 were taken into account by the Board at its twenty-first session and appear in the report of the Secretary-General to the General Assembly (A/57/268, annex I, table 2). Contributions recorded by the Treasurer of the United Nations between 13 May 2002 and the date of preparation of this report, 16 January 2003, based on information available to the Office of the United Nations High Commissioner for Human Rights, appear in table 1 below. Contributions which will be paid and recorded by the Treasurer of the United Nations after 16 January and prior to 1 March 2003 will appear in an addendum to this report. The Board will take account of them at its twenty-second session.

Table 1**Contributions available for the twenty-second session of the Board***

Donors	Amount (in US\$)	Currency of payment	Currency of pledge	Date recorded	For the year	Contribution No.
Andorra	9 680			31 October 2002	2003	9
Belgium	74 156	€75 000	SWF 110 492	9 December 2002	2002	13
Canada	37 783			11 September 2002	2003	20
Chile	5 000			11 June 2002	2002	10
Cyprus	3 000			11 July 2002	2002	14
Czech Republic	5 000			9 July 2002	2002	7
Finland	164 207			29 October 2002	2003	21
Germany	122 066		€130 000	11 June 2002	2002	20
Greece	10 300			30 September 2002	2002	18
Holy See	1 000			22 October 2002	2002	7
Iran (Islamic Republic of)	10 000			1 October 2002	2002	2
Kenya	2 500			28 May 2002	2002	6
New Zealand	14 886	\$NZ 30 000		26 June 2002	2003	17
Peru	1 480	SWF 2 220		5 July 2002	2002	3
Poland	5 000			10 December 2002	2002	3
Portugal	15 000			15 July 2002	2000	5
	15 000			15 July 2002	2001	6
Republic of Korea	10 000			18 December 2002	2002	8
Spain	41 269		€42 071	15 November 2002	2002	17
Sri Lanka	1 000			28 May 2002	2002	11
Tunisia	2 821			19 December 2002	2002	12
Ms. Sandra Coliver (USA)	90			24 December 2002	2003	1
Ms. Rita Maran (USA)	50			27 June 2002	2002	13
Mr. Yorio Shiokawa (Japan)	135	SWF 200		23 August 2002	2002	1
Mr. David P.W. Solberg, President, HVAC System Technology, Inc. (USA)	125			14 January 2002	2002	1
Total	551 548					

* According to information available to the Office of the United Nations High Commissioner for Human Rights, as at 16 January 2003.

B. Pledged contributions

5. Most of the group of approximately 30 regular donors pay their voluntary contributions directly to the Fund, without pledging in advance. A handful of regular donors to the Fund pledge their contribution in advance at the United Nations Pledging Conference for Development Activities, which is held in New York each year during the first week of November. Two or three donors pledge their contribution to the Office of the High Commissioner, copying their letter to the secretariat of the Fund (for details, see paragraph 30 below).

6. As at 16 January 2003, according to information available to the Office of the High Commissioner, the following pledges were outstanding:

Table 2
Pledges outstanding as at 16 January 2003

Donors	Amount (in US\$)	Pledge date	For the year	Contribution No.
Algeria ^a	5 000	5 November 2002	2003	12
Brazil ^b	10 000	20 December 1994	1995	8
" ^b	5 000	2 November 1995	1996	9
Bulgaria ^c	1 000	5 January 2001	2001	1
Chile ^d	10 000	2 November 2000	2001	9
	1 000	2 November 2002	2003	11
Kuwait ^e	10 000	5 November 2002	2003	1
Monaco ^f	10 000	5 November 2002	2003	10
Philippines	1 982	4 November 1998	1999	6
Venezuela	5 000	7 December 2001	2002	2
" ^g	5 000	5 November 2002	2003	3
Total	63 982			

^a Pledge made at the United Nations Pledging Conference for Development Activities held at New York on 5 November 2002.

^b Pledges made in a letter dated 20 December 1994 for the year 1995 and, for the year 1996, at the United Nations Pledging Conference for Development Activities held in November 1995 (half of this pledge has already been paid).

^c Payment of this contribution was pledged by the Bulgarian Government on 5 January 2001. According to the Treasurer of the United Nations, this contribution has not been received either in New York or in Geneva.

^d Pledges made at the United Nations Pledging Conference for Development Activities in November 2000 for the year 2001 and November 2002 for the year 2003.

^e Pledge made at the United Nations Pledging Conference for Development Activities held at New York on 5 November 2002.

^f Pledge made at the United Nations Pledging Conference for Development Activities held at New York on 5 November 2002.

^g Pledge made at the United Nations Pledging Conference for Development Activities held at New York on 5 November 2002.

7. The General Assembly and the Commission (see paragraph 12 below) appeal to Governments, organizations and individuals to make contributions to the Fund, preferably before 1 March, so that they can be duly recorded and made available for allocation at the Board's annual session in May (i.e. for the twenty-second session, prior to 12 May 2003). The Board makes financing recommendations on the basis of contributions paid and duly recorded by the Treasurer of the United Nations and which are actually available in the Fund's accounts on the eve of the first day of its annual session. It takes no account of pledges.

C. Other pledges

8. On 5 November 2002 the delegation of the United States of America to the United Nations Pledging Conference for Development Activities held at New York reaffirmed its Government's support for the Fund, which in 2002 had taken the form of a voluntary contribution of \$5 million. Because, at that date, the budget for fiscal 2003 had not yet been approved, the delegation was unable to pledge contributions to any organization, but the United States Government looked favourably on the work of the Fund and hoped shortly to be in a position to support it, as it had in the past. The delegation encouraged other States to contribute to the Fund, which helped to address the basic needs of people whose human rights had been violated, provided humanitarian assistance to torture victims all over the world and paid for training of health-care personnel specializing in the treatment of torture victims and of government officials and police officers with regard to the relevant human rights standards.

II. TRENDS

9. In the space of four years, from 1997 to 2001, the total grants available for the annual session of the Board increased from \$3 million to \$8 million, the number of funded projects from 104 to 187, the number of countries where projects were being implemented from 56 to 70 and the number of torture victims and their relatives assisted by the Fund from 59,000 to 80,000 (A/57/268, para. 53). The following trends were observed over the same period in terms of assistance priorities: from 61 to 82 per cent for psychological aid; from 58 to 79 per cent for medical aid; from 46 to 69 per cent for social aid; from 13 to 51 per cent for legal aid; and from 0 to 20 per cent for economic aid. This demonstrates a large increase in the number of multidisciplinary projects (i.e. combining several types of assistance) and the growing demand for legal aid, attributable to the increasing numbers of victims who no longer hesitate to take steps to end the impunity of their torturers and seek justice.

III. ESTIMATED NEEDS OF THE FUND IN 2003

10. To estimate the needs of the Fund for 2003, the Board has followed its past practice, endorsed by the Secretary-General, of making a realistic assessment based on verified information, namely (a) the admissible grant requests considered by the Board at its twenty-first session in May 2002; (b) the resources available at its twenty-first session; (c) total grants recommended in 2002; (d) voluntary contributions available for the twenty-first session; (e) recorded pledges; and (f) new contributions that can be relied on from regular donors who have not yet paid or pledged contributions.

11. The Board estimated Fund needs for 2003 at \$13 million, basing its calculation on the elements cited above and on a steady increase in the value of grant requests by approximately \$1 million a year since 1999 (see A/57/268, table 7, and E/CN.4/2002/66, paragraph 16).
12. In his annual appeal for 2003, launched in December 2002, the High Commissioner took account of the Board's estimate and invited Governments to make new contributions to the Fund in the amount of \$9,908,000, bearing in mind all the requirements and priorities of the Office of the High Commissioner.
13. As the deadline for the submission of new grant requests for 2003 was 30 November 2002, not all the 270 new grant requests had been checked by the date of preparation of this report (i.e. 16 January 2003), and the total number of admissible requests is therefore not known. An addendum to this report will indicate the exact total of financing requests received for 2003.
14. As at 16 January 2003, new voluntary contributions paid and available for the twenty-second session of the Board amounted to just \$551,548 (see table 1 above). At the same date pledged contributions, which the General Assembly recommends that donors should pay before 1 March 2003, amounted to only \$63,982 (see table 2 above).
15. Assuming that contributions pledged are paid before 1 March 2003, as recommended by the General Assembly, and taking account of the positive statement by the delegation of the United States of America at the Pledging Conference for 2003 (see paragraph 8 above), it is conceivable that a total of \$5,615,530 could be available for the twenty-second session of the Board.

IV. NEED FOR INTERNATIONAL FUNDING

16. At its twenty-first session the Board considered the Commission's request made in paragraph 36 of its resolution 2002/38 to present "an updated assessment of the global need for international funding of rehabilitation services for victims of torture". Bearing in mind that the Fund finances a range of programmes providing psychological, medical, social, legal, economic and other forms of humanitarian assistance to torture victims and their relatives (see A/57/268, table 6), the Board reiterated its position that it lacks the information to make a realistic assessment of the global needs for international funding of rehabilitation services for victims of torture over and above those which have been presented to the Fund. Paragraph 45 of the guidelines states that, as a rule, the amount requested from the Fund should not exceed one third of the submitted budget of the project, since the latter should not be dependent solely on the Fund. The organization must provide evidence that other donors are funding the project (*ibid.*, annex IV, Guidelines of the Fund for the use of organizations, revised on 27 May 2002). The Board therefore considered, in the light of its estimate, that admissible requests for funding at its twenty-second session could amount to \$13 million and that, in order to obtain the remaining two thirds of the funding needs for 2003, project managers must seek almost \$36 million from other donors.

V. GOOD PRACTICES

17. Paragraph 36 of Commission resolution 2002/38 also invites the Board to present to it an assessment of lessons and best practices learned from the Fund's activities. At each session, the Board draws lessons from the results of the past year and formalizes its good practice, if necessary by adopting new guidelines or revising its existing procedures and guidelines. This forms a separate item of its annual agenda. The Fund secretariat also informs the Board, if necessary, of relevant procedures, guidelines and other good practices adopted by the boards of other humanitarian assistance funds established by the General Assembly and administered by the Secretary-General which perform comparable humanitarian activities and are also managed by the human rights trust funds unit of the secretariat.

18. In the absence of the Chairman of the Board, Mr. Jaap Walkate, from the twenty-first session owing to the international situation, Mr. Ivan Tosevski, the Chairman at the twenty-first session, and other Board members Ms. Elizabeth Odio Benito, Mr. Ribot Hatano and Mr. Amos Wako, gave a detailed presentation of the lessons learned from the Fund's activities over the past 20 years to representatives of donors at their meeting with Fund donors on 24 May 2002, and at other meetings with the ambassadors coordinating the regional groups in Geneva and New York in 2002. During the Board's annual meeting with donors, the respective coordinators of the Group of Latin American and Caribbean States in Geneva and the Group of Western European and Other States in Geneva invited the Board to meet members of both groups. In May 2000 the Chairman of the Board also gave a detailed presentation of lessons learned from Fund activities in the preceding years at a meeting with representatives of all the permanent missions to the United Nations in Geneva. A digest of all the lessons learned by the Board from the Fund's activities appears in the Guidelines of the Fund for the use of organizations, revised by the Board at its twenty-first session (A/57/268, annex IV).

VI. FUND-RAISING BY THE BOARD

19. The General Assembly, in its resolutions 56/143 and 57/200, and the Commission, in its resolution 2002/38, expressed gratitude and appreciation to those Governments, organizations and individuals that had contributed to the Fund and encouraged existing donors to continue to contribute, if possible with a substantial increase in their contributions to take account of the ever-increasing requests for assistance. They also appealed to all Governments to contribute annually to the Fund, preferably by 1 March and in any event before the annual meeting of the Board (i.e. prior to 12 May for the year 2003) so that those contributions could be duly recorded and made available for allocation at the following session of the Board.

20. The Secretary-General was requested to transmit these appeals to all Governments. In a letter of 9 September 2002 the High Commissioner drew the attention of all Governments to the appeals to contribute made by the General Assembly, the Commission and the Board. She stressed that she would greatly appreciate Governments' willingness to contribute to the Fund and, if possible, to increase their contributions substantially, and preferably before 1 March, prior to the next session of the Board.

21. In its resolution 36/151, under which the Fund was established, the General Assembly authorized the Board to promote and solicit contributions and pledges and requested the

Secretary-General to give the Board all the assistance it may require. The members of the Board have the opportunity to solicit contributions during the annual session of the Commission, which has instituted the practice of inviting the Chairman or a member of the Board, if he or she is in Geneva when the Commission is in session in March and April, to present under the relevant agenda item the most up-to-date information about the financial situation of the Fund and to encourage participants to make contributions before the Board meets in May, which is what Mr. Ivan Tosevski did on behalf of the Board on 16 April 2002.

22. As part of the new fund-raising strategy launched by the Board at its twenty-first session, which entails a more direct approach to donors, and especially to ambassadors and permanent representatives to the United Nations in Geneva and the coordinators of the five regional groups in Geneva and New York (see A/57/268, paragraph 37), the Chairman at the twenty-first session, Mr. Ivan Tosevski, met members of the Group of Western European and Other States, at their request, on 18 September 2002 in Geneva. He also met the coordinators of the five regional groups in New York and in Geneva and urged them to encourage all members of their respective groups to contribute to the Fund (see also paragraph 15 above). The Board also met the Chairperson of the Commission at its fifty-eighth session, since the Commission, in its resolution 2002/38, had called upon all Governments to contribute to the Fund. In addition, the Board met the Permanent Representative of Spain to the United Nations (at that time Spain held the revolving presidency of the European Union) because the Union had also encouraged all its member States to contribute to the Fund. The Board provided the representatives with all available information about the Fund's activities and its financing needs, as well as information about contributions made by the members of each group (A/57/268, annex I, table 11). At each of these meetings the Board stressed the need to receive voluntary contributions from States that had never contributed to the Fund, thereby giving effect to General Assembly resolution 56/143 and Commission resolution 2002/36, which call upon all Governments to contribute.

VII. IMPLEMENTATION OF DECISIONS TAKEN AT THE TWENTY-FIRST SESSION OF THE BOARD

23. At its twenty-first session, the Board recommended the disbursement of grants worth almost \$8 million during the period May 2002-May 2003 (A/57/268, paras. 30-34), for allocation to psychological, medical, economic, social and legal assistance programmes and other forms of direct humanitarian aid to torture victims and their relatives throughout the world. After checking all the Board's recommendations to ensure their conformity with the financial, administrative and other relevant regulations of the United Nations and the recommendations of the external auditors submitted to the Board at its twenty-first session, as approved by the Board (*ibid.*, annex IV, para. 51), the High Commissioner authorized these grants on 10 July 2002 on the Secretary-General's behalf.

24. Since 17 July 2002, the Fund secretariat has requested the disbursement of immediately payable grants in the amount of \$5,295,300, i.e. 100 per cent of the prompt grants (A/57/268, para. 31). In addition, between 18 July and 11 December 2002, \$360,000 was disbursed in respect of pending grants regarding which satisfactory additional information was received, i.e. 16 per cent of \$1,620,870 in pending grants approved in 2002 and of \$614,000 approved in 2000 and 2001 (*ibid.*). Grants still pending will be paid before 11 May 2003 (the eve of the

next session of the Council), provided that the Fund receives satisfactory reports from project managers. At its twenty-second session the Board will consider any grants that might still be pending and will adopt appropriate recommendations.

VIII. OTHER RELEVANT ACTIVITIES

25. Since 26 July 2002, the date of preparation of the Secretary-General's report to the General Assembly, the relevant activities described below have been carried out.

A. Project assessment missions

26. The Fund secretariat continued its practice of making field visits to ensure that grants from the Fund are being properly used in accordance with the Fund's guidelines (A/57/268, para. 21). Between August and December 2002, members of the secretariat visited projects financed by the Fund in Argentina, France and Germany.

B. Gender mainstreaming

27. The Fund secretariat continued to mainstream the gender perspective in its work by requesting organizations to specify, in their requests for funding and their narrative reports, the gender of victims assisted by a Fund grant.

IX. GRANT CYCLE

28. Grant requests should be received by the secretariat no later than 30 November so that it can consider them and decide whether they are admissible under the Fund's guidelines. Admissible grant requests are reviewed by the Board at its annual session in May. The Board examines all the relevant aspects and activities that come within its mandate as laid down by the General Assembly and the Secretary-General, and especially the definition of torture, with special reference to the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Board's recommendations are examined by the Fund's secretariat to ensure that they are in compliance with United Nations rules, then submitted to the High Commissioner for approval on behalf of the Secretary-General. In July project managers are informed, in writing, of the decisions that concern them and must agree to all the conditions tied to the grants. The High Commissioner requests that grants that are to be unconditionally disbursed should be paid as soon as possible by the United Nations Office at Geneva. Most grants are received in July or August, and recipients are requested to acknowledge receipt of the grant and to submit by 30 November narrative and financial reports on the use of the grants. If there is no final report by that date, an interim report is submitted, and the final report must be received by the following 15 February. Further grant requests, for consideration at the next session of the Board, may also be submitted by 30 November. The recipients of pending grants must submit the information requested as soon as possible. Their grant is paid when the Fund secretariat has received satisfactory information.

X. HOW TO MAKE A CONTRIBUTION TO THE FUND

29. Contributions to the Fund may be paid: (a) by bank transfer “United Nations Geneva General Fund”, either in United States dollars to account 240-CO-590160.1, or in other currencies to account 240-CO-590160.0, c/o UBS AG, case postale 2770, CH-1211 Geneva 2 (Switzerland), Swift address UBSWCHZH12A; or (b) by cheque payable to “United Nations” addressed to Trésorerie, Nations Unies, Palais des Nations, CH-1211 Geneva 10 (Switzerland).

30. Donors should mark their payment orders as follows: “Payee: United Nations Voluntary Fund for Victims of Torture, account CHA”.

31. Donors are also requested to inform the secretariat of the Fund when a payment or a pledge has been made so that it can notify the Board, the General Assembly and the Commission and follow processing of the transaction by the relevant services of the United Nations and the Office of the High Commissioner.

XI. OTHER INFORMATION

32. For further information about the Fund, please contact the secretariat of the Fund, human rights trust funds unit, Office of the United Nations High Commissioner for Human Rights, United Nations, Palais Wilson (postal address: Human Rights Trust Funds, Office of the United Nations High Commissioner for Human Rights, CH-1211, Geneva 10, Switzerland; telephone: (41 22) 917 9315; fax: (41 22) 917 9017; e-mail unvft@ohchr.org

XII. CONCLUSIONS AND RECOMMENDATIONS

33. Pursuant to the appeals by the General Assembly, the Commission on Human Rights, the Secretary-General, the High Commissioner for Human Rights and the Board of Trustees of the Fund, donors are invited to pay their contributions to the Fund prior to 1 March 2003 to enable the Board to take them into account at its twenty-second session, in May 2003.

34. Regular donors to the Fund are also urged by the General Assembly, the Commission, the Secretary-General, the High Commissioner and the Board to increase their contributions if possible in order to give the Board the resources to meet the growing needs of torture victims and their relatives.

35. The Board strongly encourages Governments which had not yet contributed to the Fund to do so for the first time before 1 March 2003.

36. The Board also encourages all interested organizations, enterprises and individuals to make available through the Fund humanitarian aid which will enable nearly 80,000 torture victims and their relatives to benefit every year from psychological, medical, social, economic or legal assistance from almost 200 non-governmental organizations all over the world.
