



General Assembly

Distr.: General
12 December 2012

Original: English

Human Rights Council

Twenty-second session

Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

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

Note by the Secretary-General

Summary

The present note provides information on the status of the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

I. Introduction

A. Submission of the report

1. The present report was prepared in accordance with the arrangements approved by the General Assembly in its resolution 66/150, by which it encouraged contributions to the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Optional Protocol), and requested the Secretary-General to submit a report to the Human Rights Council on the operations of the Special Fund.

B. Mandate of the Special Fund

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

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

C. Management of the Special Fund

4. The Special Fund is administered by the Office of the United Nations High Commissioner for Human Rights (OHCHR), in accordance with the Financial Regulations and Rules of the United Nations.

5. As an interim scheme, it was decided that the OHCHR Grants Committee, the advisory body to the United Nations High Commissioner for Human Rights, would advise the High Commissioner on the eligibility of projects and awards of grants based on the evaluation criteria set out in the guidelines for applications for the project cycles 2012 and 2013. This interim scheme will be reviewed in 2013. In this regard, note is taken of the readiness of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture to assist the work of the Special Fund, if so requested.

D. Project cycle 2012

6. The Special Fund became operational in July 2011, and the first call for applications was launched on 1 November 2011. The first grants were awarded during 2012. Under the call for applications for the period 2011-2012, 69 applications were received, out of which 25 were deemed admissible (those submitted within the deadline and in which the geographic eligibility criteria were met¹). In accordance with the guidelines for applications

¹ Projects aiming at the implementation of recommendations made by the Subcommittee after a visit to a State party, provided those recommendations are contained in a report that has become public by the request of the State party.

for the period 2011-2012, the secretariat for the Special Fund conducted an extensive evaluation of those 25 projects, taking into consideration the outcome of informal consultations with members of the Subcommittee, in February 2012. The evaluation process has been done in close collaboration with OHCHR field presences, and field visits to eligible applicants have been conducted by OHCHR or United Nations Development Programme staff.

7. In the evaluation of projects, priority consideration was given to projects submitted by States parties and national preventive mechanisms. In those cases in which a project was submitted by a non-governmental organization, particular attention was paid to the implementation of the project in collaboration and partnership with States parties and national preventive mechanisms. In some cases, applicants were encouraged to implement the projects with the national preventive mechanism.

8. Nine projects encompassing a wide range of activities, in accordance with the Subcommittee recommendations, that address the prevention of torture in Benin, Honduras, Maldives, Mexico and Paraguay, were approved and grants awarded. The total amount of grants awarded was \$166,977. Please refer to the annex for further information on the approved projects.

9. The remaining 16 projects were rejected by the Grants Committee for not meeting the thematic selection criteria established by the guidelines for applications for the period 2011-2012.

E. Call for applications 2013

10. A new call for applications to the Special Fund was published on 15 August 2012 and closed on 15 October 2012. For this call, thematic priorities per country were identified by the Subcommittee during its seventeenth session, held in Geneva from 18 to 22 June 2012. In addition, projects addressing any other specific recommendation in the visit reports that detailed a pressing and compelling need could be considered.

11. Under this call, eligible projects were to be aimed at implementing recommendations made by the Subcommittee after a visit to a State party, provided those recommendations were contained in a report that had become public by the request of the State party. Therefore, the countries able to respond to this call were: Benin, Brazil, Honduras, Maldives, Mexico, Paraguay and Sweden.

12. As in the previous cycle, applications could be submitted by States parties and national preventive mechanisms. In addition, applications could be submitted by national human rights institutions, if compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), and non-governmental organizations, if the proposed projects were to be implemented in cooperation with States parties and/or national preventive mechanisms.

13. Applicants could request grants of up to \$50,000 for project activities to be implemented between 1 January and 31 December 2013. OHCHR, as fund manager, reserves the right to earmark part of a grant to specific budget lines.

14. A total of 34 applications were received, out of which 4 were considered inadmissible under the geographic eligibility criteria (that is, projects aiming at the implementation of recommendations made by the Subcommittee following a visit to a State party, provided those recommendations are contained in a report that has become public by the request of the State party). The 30 applications deemed admissible (those submitted within the deadline and in which the geographic eligibility criteria were met) concern six of

the seven countries that had agreed on the publication of the Subcommittee report following the country visit: Benin, Brazil, Honduras, Maldives, Mexico and Paraguay.

II. Financial situation of the Special Fund

15. At the time of writing, the following contributions to the Special Fund had been received: \$29,704.98 from the Czech Republic, \$5,000 from the Maldives, \$82,266.30 from Spain, and \$1,013,491.01 from the United Kingdom of Great Britain and Northern Ireland. The table below shows the contributions received.

Contributions received from 2008 to 2012

<i>Donors</i>	<i>Amount (United States dollars)</i>	<i>Date of receipt</i>
Czech Republic	10 000.00	16 November 2009
	10 271.52	30 December 2010
	9 433.46	22 September 2011
Maldives	5 000.00	27 May 2008
Spain	25 906.74	16 December 2008
	29 585.80	10 November 2009
	26 773.76	29 December 2010
United Kingdom of Great Britain and Northern Ireland	855 263.16	20 June 2011
	158 227.85	21 March 2012

16. The High Commissioner believes that the Special Fund is a valuable tool in furthering prevention of torture and wishes to express her gratitude to these States for their generous contributions.

III. Making a contribution

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

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

Geneva 2, Switzerland (Swift code: UBSW CH ZH 80A; bank number: 240; IBAN: CH92 0024 0240 C059 0160 0); (e) in other currencies to the United Nations Geneva General Fund, account No. 240-C0590160.1, UBS AG, rue du Rhône 8, case postale 2600, CH-1211 Geneva 2, Switzerland (Swift code: UBSW CH ZH 80A; bank number: 240; IBAN: CH65 0024 0240 C059 0160 1); (f) or by cheque payable to the United Nations, addressed to Trésorerie, Nations Unies, Palais des Nations, CH-1211 Geneva 10, Switzerland.

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

IV. Recommendation

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

Annex

**Special Fund established by the Optional Protocol to the
Convention against Torture and Other Cruel, Inhuman or
Degrading Treatment or Punishment: call for applications
for the period 2011-2012**

**Table of projects approved to date by the Office of the United Nations High
Commissioner for Human Rights Grants Committee**

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

* Project cancelled due to a political situation in Maldives.