FINAL REPORT

Desk Review for Irish Aid

of Association for the Prevention of Torture (APT) Project

"Promoting the Ratification and Effective Implementation of the OPCAT"

16 November 2009

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List of Abbreviations

APT	– Association for the Prevention of Torture
CAT	– United Nations Convention against Torture
CPT	– Council of Europe anti-torture Committee
IACHR	– Inter-American Commission on Human Rights
NPM	– National Preventative Mechanism
OHCHR	– Office of the High Commissioner for Human Rights
OMCT	– World Organisation Against Torture
OPCAT	– Optional Protocol to the Convention Against Torture
PRI	– Penal Reform International
RCT	– Rehabilitation and Research Centre for Torture Victims.
SPT	– UN Sub-committee for the Prevention of Torture

Executive Summary

This desk review[1] of the *Association for the Prevention of Torture* (APT) project "Promoting the Ratification and Effective Implementation of the OPCAT" covering the period (from August 2008 to August 2009) during which the project was part-funded by an Irish Aid grant of €147,430.

The main objective of the APT project was to prevent torture and other forms of ill-treatment, through the establishment of an effective, legitimate and sustainable torture prevention system under the Optional Protocol to the Convention Against Torture (OPCAT).[2]

The review's principal findings are that a range of relevant activities were carried out by APT during the granting period to which a range of positive outcomes can be attributed. These outcomes range from immediate to longer term, both direct and indirect.

In June 2008, as part of its funding request to Irish Aid APT identified 59 countries which it would target in its OPCAT campaign. In total 15 States[3] ratified OPCAT during the granting period (August 2008-August 2009) 11 of which were on APT's original country target list.[4]

Other project outcomes include support to the establishment of a number independent national preventative mechanisms (NPM) as required by OPCAT; facilitation of the formation and functioning of working groups and coalitions to lobby for OPCAT signature/ratification and to otherwise input into the identification/establishment and functioning of OPCAT-compliant NPMs.

With a relatively small team APT's partnership approach to its OPCAT work encompasses host society actors (state and non-state) and other INGOs. APT is acknowledged by stakeholders in the course of this review as being "very inclusive towards other organisations"; an organisation "demonstrably more interested in results than in credit". This approach reinforces local capacity and giving APT an impact beyond its organisational scale. As put by one stakeholder consulted APT "punches above its weight".

A central lesson learned is the merit of APT maintaining its mix of planned country prioritisation and flexibility to avail of windows of opportunity to target new countries.

APTs OPCAT project activities during August 09-August 09 have also fed critically into its role as coordinator of the OPCAT Contact Group (a group of international organisations involved in promoting

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[1] The review was conducted over a 7 day period in October/November 2009 by Patrick Twomey for the *International Human Rights Network*.

[2] OPCAT came into force in 2006.

[3] Azerbaijan, Bosnia & Herzogovinia, Chile, Cyprus, FYRM, France, Germany, Kazakhstan, Kyrgyzstan, Lebanon, Montenegro, Nicaragua, Nigeria, Romania, Switzerland.

[4] 50 states have now ratified OPCAT worldwide.

OPCAT ratification and implementation worldwide which APT was central in setting up). APT has also played a key role in supporting SPT activities, including provision of information and analyses and organising and funding participation by SPT members in OPCAT related activities.

APT activities have included contributing to the development of torture related legislation in target countries, helping establish working groups to prepare draft legislation, commenting on drafts, facilitating planning of NPMs etc. These activities included desk-based support; co-hosting events; facilitating transfer of lessons from developed to developing countries and between developing countries where one has progressed further towards OPCAT ratification or establishment of an NPM.

As part of the OPCAT project, and during the period of the Irish Aid project funding, APT produced a series of practical tools (eg OPCAT Manual, FAQ, monthly OPCAT briefings etc) serves to reach a wide audience. These various publications are clearly written and are available electronically free of charge from APT and in some cases versions beyond the official UN languages are available. Other policy papers developed during the funding are in draft stages and were not available to the review.

There are some acknowledged limitations inherent in so few APT personnel being responsible for so many countries. This lack of capacity leads to some lack of follow-through in some countries and perhaps challenges associated with raised expectations not being fully met.

Recommendations
To APT
APT should continue to develop more systematic measurement of its interventions, in particular the relationship between activities to outcomes/impacts, through the adoption of a systematic monitoring & evaluation system, including baselines, benchmarks and indicators for tracking changes.

APT might usefully formalise (around the "right to participate") its Partnership approach and acknowledgement of the importance of local 'ownership', to aid its own institutional memory and as a reinforcement of partners and stakeholders.

APT should explore means of developing its current use of embassies in target countries for advocacy support on OPCAT, in particular EC delegations.

APT should continue to expand its development OPCAT manuals and tools and in particular versions in languages that suffer from a dearth of human rights materials.

To Irish Aid:
Be open to providing further financial and political support to APT as a means of generating sustainable impacts in the fight against torture. Such support should be accompanied by full independent *impact evaluation* (beyond desk review) and where possible be done in conjunction with other contributing donors.

Introduction

In July 2008, Irish Aid approved one year's funding of €147,430 to the Association for the Prevention of Torture (APT) for their campaign on the Optional Protocol to the Convention Against Torture (OPCAT). The granting period ran from August 2008 to August 2009. The following Project desk review is being completed in line with Irish Aid requirements, and as the grant exceeds €100,000, APT commissioned International Human Rights Network to undertake a 5 day review in October-November 2009. The central purpose of the review is to assess the relevance of the project outputs to its objectives and goals, and to identify lessons for the future. A final draft of the report was shared with APT for comment. Responsibility for the Report's content and recommendations remain that of IHRN. IHRN wishes to thank all those who contributed to the review, APT personnel, OPCAT partners and other stakeholders.

The report follows the structure laid out in the Irish Aid Guidelines for Reporting, Monitoring and Evaluation of projects funded under the Civil Society fund. The following section provides a brief description of the project and its activities. The section on findings assesses the outputs of the project against the project objectives, as stated in the original proposal to Irish Aid. The section on conclusions assesses the overall project in terms of its wider relevance, and the effectiveness, efficiency, impact, sustainability and replicability of the project. Lessons learned are extrapolated and recommendations for future action made.

The evaluation

The Association for the Prevention of Torture is a long-established NGO with a high reputation. It has been active in working to establish and implement effective mechanisms for the prevention of torture for over 30 years, and was clearly instrumental in bringing OP-CAT into existence.

OP-CAT is the Optional Protocol to the UN Convention Against Torture. The purpose of the Protocol is to establish a system of regular visits undertaken by independent international and national bodies to places of detention, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment. States that ratify OP-CAT have two principal obligations. Firstly, they must allow the UN Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) to visit all places of detention within that state. Secondly, they must establish a independent national preventative mechnanisms (NPM) to examine the treatment of people in detention, make recommendations to government authorities to strengthen protection against torture and comment on existing or proposed legislation.

OP-CAT was adopted in 2002, and entered into force in 2006. The grant awarded by Irish Aid enabled APT to continue their OPCAT campaign activities, which include promoting ratification of OP-CAT by states, helping states which have ratified to establish National Preventative Mechanisms, and more generally promoting awareness of torture prevention mechanisms with authorities, civil society and

international organisations.

The following list some of the OPCAT project activities undertaken by APT during the granting period.

Date	Activity	Partners
Sept 2008	International seminar on OPCAT and federal and decentralized States	Ministries of Justice and Foreign Affairs, Argentina and the Centre for Justice and International Law
Sept 2008	Workshop on the implementation of OPCAT	Commission on Human Rights of the Philippines (CHRP), Balay Rehabilitation Centre for Torture Victims (BALAY) and Research and Rehabilitation Centre for Torture Victims (RCT)
Oct 2008	International seminar on OPCAT in Uruguay	Local NGO SERPAJ, Konrad Adenauer Foundation
Oct 2008	OPCAT advocacy in Togo	OHCHR Togo
Oct 2008	Regional seminar on OPCAT in Central America (Honduras)	RCT; the Centro de Prevención, Tratamiento y Rehabilitation de las Víctimas de la Tortura (CPTRT, Honduras), Oficina de Derechos Humanos del Arzobispado de Guatemala (ODHAG, Guatemala), Inter-American Institute of Human Rights (IIDH).
Oct 2009	UN General Assembly meeting (New York)	Danish Ministry of Foreign Affairs, Permanent Mission of Costa Rica.
Nov 2008	Sharing experiences on OPCAT with fellow human rights organization (Paris)	ACAT- France
Dec 2008	Facilitate preparation of Subcommittee on Prevention of Torture (SPT) visit to Paraguay	SPT, Center for Justice and International Law (CEJIL); Fundación Celestina Pérez de Almada Amnistía Internacional Paraguay Fundación Mesa Memoria Histórica Coordinadora de Derechos Humanos del Paraguay (CODEHUPY), National Human Rights Commission of Paraguay; Human Rights Institute-National University of Asunción
Mar 2009	International conference on the prevention of torture; Washington DC	American University Washington College of Law; Just Detention International.
Mar 2009	Implementing OPCAT in Lebanon	Working Group Against Torture (local NGOs) OHCHR Lebanon.
Apr 2009	Expert meeting on self assessment tools for NPMs, Geneva	SPT, Council of Europe
Apr 2009	Strategic planning for Costa Rican NPM	NPM Costa Rica, SPT.
May/June 2009	Advocacy for the prevention of torture and OPCAT in Africa (Banjul &Geneva)	African Commission on Human and Peoples' Rights.
August 2009	Workshop on designation of NPM in Chile	Ministry of Foreign Affairs and Ministry of Justice, Chile, CODEPU, Amnesty International Chile

Findings

The following section maps a range outputs of the project against the objectives stated in the original proposal with particular reference to project activities during the Irish Aid Funded period.

1. Promote OPCAT ratification in States which have not ratified.
In June 2008, the APT produced an internal document (shared with Irish Aid) detailing 59 countries which APT would target in its OPCAT campaign. This comprehensive document, demonstrates both good relations with local partners and understanding of the local political challenges and included an expected ratification timeframe for each country. With hindsight this timeline may have been over-optimistic, as many of the countries listed as expected to ratify in 2008 or 2009 have not yet done so, but a range of factors outside APT control need to be factored in.
Nonetheless, fifteen States have ratified OPCAT during the granting period (August 2008- August 2009), making this a particularly active period. Of these, eleven were on APT's country target list, and there is evidence of significant advocacy activities (work with local NGOs, visits to ministries, conferences etc) in at least five of these countries. In Lebanon, for example, APT was centrally involved with local NGOs in a sustained lobbying for ratification of OPCAT. APT undertook an advocacy mission in 2007, participated in a national seminar in February 2008, and visited again in October 2008. Lebanon ratified OPCAT on 22 December 2008, and APT visited again in March 2009, to continue the work by promoting the establishment of an NPM.
Success with regard to countries which have ratified OPCAT during the granting period should not detract from the importance of groundwork laid by APT which may bear fruit at a later date. Advocacy process can be a lengthy, and quick wins should not be expected and may not be desirable in terms of sustainable progress. For example, APT visited the Philippines in September 2008, four months after President Arroyo signed OPCAT, pending confirmation by the Senate. Although the ratification has still not been confirmed, the APT workshop undertook some useful groundwork in respect of an eventual NPM.
As well as planned in-country events, APTs Geneva base and presence at international events also allowed it to promote OPCAT ratification.
2. In States Parties to the OPCAT, facilitate the designation and establishment of NPMs through: *i. Transparent, participatory and inclusive designation processes.* *ii. Reviewing and proposing effective legal frameworks and adequate operational capacity.* *iii. Entering into constructive and complementary relations with relevant actors responsible for detaining people.*
APT activities on the establishment of NPMs in the granting period included workshops at country

level at which NPM design/designation were planned (eg Lebanon, Costa Rica, Philippines, Chile) and at international level. (international seminar on OPCAT and federalised and decentralised States in September 2008, and an expert meeting on self-assessment tools for NPMs in April 2009). APT is clearly considered an important partner in establishing effective NPMs. To take one example, following Chile's ratification of OPCAT in December 2008, APT was approached by the Delegation of Chile in Geneva to assist in promoting national debate on possible NPM options. This culminated in a seminar organised in Santiago de Chile in August 2009, jointly between APT and the Ministries of Justice and Foreign Affairs. In the case of Madagascar the Ministry of Justice wrote to APT requesting assistance bringing its legislation in line with International law on torture.

As a key element of sustainability APT places importance on the processes by which NPMs are designated/established. In several target countries where OPCAT ratification is behind envisaged timelines or NPMs are yet not yet in place APT input facilitates the formation and functioning of working groups and coalitions. Facilitating the creation of such groups to better engage on the identification/establishment and functioning of OPCAT-compliant NPMs is an important outcome generally (in contexts where civil society relations can be fractious) and in particular represent a critical foundation for subsequent effective NPMs. Solid networks and working groups are likely to build awareness of the legitimacy of civil society assistance to, and scrutiny of, NPMs once in place. Though as experience in Mexico and Paraguay shows legislative progress or ultimate NPM designation can fail to live up to even a positive planning process.

3. Cooperate with and assist the new UN Subcommittee on the Prevention of Torture (SPT)

APT has played a key role in supporting the SPT in its activities something of particular importance in light of the limited resources of the SPT. In December 2008, for example, APT went to Paraguay in preparation for an SPT visit together with the SPT member who later headed the March SPT visit. In March 2009, APT had discussions with the OHCHR in Lebanon about holding an OPCAT conference, at which a member of the SPT participated as a guest speaker.

Beyond facilitating SPT country visits APT is a key source of information for SPT analyses of progress towards OPCAT ratification/implementation, on the state of play on NPMs, generally serving a role described by one SPT member as "critically and pre-eminently important to the SPT's development and ability to function effectively".

4. Advocate for State authorities to meet their international obligations to prevent torture and other forms of ill-treatment.

All APT's OPCAT project activities involve an emphasis of advocacy. In its OPCAT activities (and its wider advocacy on torture prevention) advocacy is undertaken directly with state authorities. Mission reports for APT's country visits during the Irish Aid funding period show that APT was able to gain access to State authorities at the highest levels. In Togo, for example, meetings were held with the President of the Parliament, in Lebanon with the Minister of Foreign Affairs and the Minister of Justice etc. This advocacy also includes working with national human rights institutions

and parliaments, eg facilitating parliamentarians in Uganda to propose OPCAT ratification in private members time where the Government willing was lacking. Advocacy is also built into high visibility events that encourage OPCAT support for which APT has drawn upon donor support, through presence of ambassadors. APT advocacy is also applied indirectly through civil society stakeholders and at fora through which states can be lobbied. Central to this approach is APT's explicit facilitation/support role and capacity building of civil society organisations in seeking to hold their States to account for its torture-related obligations.

5. Strengthen the capacity of civil society to be involved in the torture prevention system.

One of APT's key strengths is its involvement with civil society organisations in APT target countries. OPCAT project mission reports lists local partners for every target country and the review identified strategic awareness of the importance of civil society engagement. In Lebanon, APT worked with a group of Lebanese NGOs, the Working Group against Torture, to organise a 2 day civil society workshop on torture prevention.

As an illustration of capacity building of civil society funded by the Irish Aid grant a seminar in Togo was held in conjunction with OHCHR & National Human Rights Commission, at which best practice from Benin was shared (on functioning of Benin Working Group OPCAT advocacy which led to OPCAT Ratification law currently before Parliament in Benin). In addition to events and direct engagement, civil society capacity is also likely to be enhanced by range of materials, especially those in "minority" languages.

6. Raise awareness about the torture prevention system, particularly amongst authorities involved in its implementation.

Even where OPCAT has been ratified, large gaps in the knowledge of the authorities and other relevant actors concerning the torture prevention system continue. APT's visits, events and analysis serves an important role in improving this awareness.

As well as events in target countries, which by their nature are limited in number, publications also played a key role in awareness raising during the OPCAT project and during the period of Irish Aid funding, APT has also produced a series of publications (in some cases collaboratively with others) across a range of languages. These are in many case practical tools (eg OPCAT manual) and vary in detail and complexity which means they reach an audience with varying degrees of literacy on torture issue and OPCAT in particular. These various publications are available electronically free of charge from APT and in some cases versions beyond the official UN languages are available. The SPT also note that APT's OPCAT tools are frequently quoted to Sub-committee by State authorities and new NPMs on its country visits.

7. Stimulate a sustainable and dynamic network of international, regional and national actors committed to torture prevention.

This is perhaps one of the strongest features of the OPCAT project and APT's work generally. With

a relatively small core team (structured geographically and thematically) APT strengthens civil society capacity (and state actors) through a partnership approach in the countries it targets. Partnership encompasses host society actors, other INGOs active on torture issues and Intergovernmental organisations (eg OHCHR, CPT and IACHR). Partners variously describe APT as "very inclusive towards other organisations (in principle, "competitors") in the field of torture prevention,"; "demonstrably more interested in results than in credit" etc. This approach serves to facilitate rather than replace local actors and utilises its comparative advantages (including its reputation (reflected in a range of supporting donors and requests for assistance from stakeholders), a developed body of relevant materials, a focus on facilitating transfer of lessons learned across jurisdictions and flexibility to balance windows of opportunity with more systematic planned activities and strategic use of fora such as Asia Pacific Forum.

Examples of its collaborative approach during the granting period include events organised in conjunction with one or more partners. In February 2009, for example, they organised two consecutive events in Washington DC – the first, an international conference on the prevention of torture, with American University Washington College of Law and the second, a National Roundtable, together with Just Detention International, bringing together a group of US NGOs to mobilise and strategise on an OPCAT campaign in the USA. Generally APT's contribution to a sustainable and dynamic network on torture prevention is acknowledged widely. This approach allows APT to combine physical presence in selected countries with distance support in others eg APT input in the case of the Philippines where RCT took the lead on OPCAT.

Stimulating and facilitating sustainable networks represents an important project outcome even where envisaged ratification or establishment of NPM has been delayed. Thus in Argentina it facilitated a Civil Society-Government dialogue in a process that led to the formation of an alliance not previously possible, with that networking given an international dimension by APT's invitation of a Spanish partner to illustrate the functioning of an OPCAT network in Spain.

Conclusions

Supplementing observations above this section reviews project in terms of their relevancy, effectiveness, efficiency, impact and sustainability.

Relevance

The general recognition of the efficacy of unannounced visits to places of detention in preventing torture, underscores the importance of OPCAT, and is central to all of APT's work. As noted by Irish Aid in its recommendation for funding, the project is also a clear fit with Civil Society Fund Objective no. 5, the promotion of human rights. While it is clear (and frequently acknowledged by APT) that the ratification or even the creation of NPMs in themselves do not guarantee an end to torture the key project emphasis on awareness-raising, capacity building and civil society and state cooperation on the issues involved make this project and the project approach of particular relevance to the prevention of torture.

Effectiveness

The geographical remit of APT's project activities is extremely wide, encompassing almost 60 countries on all continents. Given that APT have a very small team (less than 20 staff), this is only possible given APT's significance use of local and international partnerships, as can be seen from the list of activities above. This contributes greatly to the effectiveness of the project, not only in terms of OPCAT ratifications and NPM designation, but also in terms of ensuring empowerment and participation of local civil society in the process. APT's focus on prevention is another key element of the effectiveness of its interventions. In a field where many actors are present, there is always potential for duplication, but feedback to the review confirms that APT collaborates well with a range of other actors thereby enhancing the overall effectiveness of this global campaign.

Efficiency

The OPCAT project activities against budget and mission reports suggests an emphasis on efficiency and value for money. As mentioned above, APT operates with an extremely small team and the efficiency of single staff members on missions is an additional advantage of its partnership approach. Sharing the cost of events and publications with other organisations is also a feature of the project. Efficiency is also aided by its focus on transferring lessons learned from one country to another and its use of the 'windows of opportunity' approach (a change of Government or political will eg Eyadema regime in Togo in 2008 or an invitation to participate in a event hosted by other organisations etc) which can see significant steps forward by a targeted intervention.

Impact

Impacts of the project during the granting period include ratification of OPCAT by 15 countries during the granting period, contribution to legislative and policy frameworks and facilitation of planning for effective NPMs. A range of other impacts are also suggested, including, enhanced awareness and knowledge of OPCAT and torture issues; enhanced capacity of working groups and coalitions in target countries to lobby for OPCAT signature/ratification and to input into the identification/establishment and

functioning of OPCAT-compliant NPMs.

Sustainability

APT policy on country engagement is key to maximising the sustainability of its efforts; prioritising countries where there is a certain degree of political stability & willingness to progress, working with partners that can continue work; acknowledging its capacity limitations and seeking to apply a "multiplier" from countries that have progressed further towards ratification or effective NPM than others.

The development of relationships by APT with civil society contributes greatly to the overall sustainability of the project, ensuring that a committed partner remains on the ground, even after the APT visit is over. Moreover, where projects are initiated at the request of government agents (eg Ministry of Justice), APT generally requires a commitment from the government to manage all logistics related to the organisation of in-country events and other costs such as travel costs for seminar participants, including APT's travels when possible. The projects emphasis on seeking to ensure that States reflect on what ratification of OPCAT requires in terms of implementation, as opposed to seeking "quick wins" of protocol ratification or formal NPM designation.

Sustainability is likely to be further enhanced through more systematic 'organisational memory', which would allow APT document its own best practices for even greater impact, for lessons learned that could be shared with partners, SPT etc and serve as a buffer against staff turnover or any organisational expansion (a regional office is planned in Panama specifically for OPCAT activities). Staff turnover or expansion may place pressure on the current relatively informal, though regular, information exchange between officers and between officers and management. Recent Organisational changes such as Chief of Operations can facilitate this process.

Replicability

The project fostered replicability by facilitating one country from learning from OPCAT initiatives of others. More generally, APT's range of project methodologies are applied across very diverse regions and political situations. While emphasis may be adjusted according to specific features of one country or region but the merits of the project's process-oriented focus is of universal utility. In particular, APT's requirement of a degree of political will and stability for it to engage in a particular country means that certain key elements are like to be present that allow its methodologies to be applied; functioning civil society, state institutions open to dialogue on human rights etc. Replicability would be enhanced by more systemic internal monitoring & evaluation of project activities and outcomes/impacts.

Lessons learned

Observations of this review regarding this project that might be usefully applied to other projects funded by Irish Aid include:

Part contribution by Irish Aid to a larger project both increases the chance of sustainability through longer

term/wider programming and is in line with Paris Aid Effectiveness Principles.

Such collaborative donor support should include shared commissioning of independent evaluation of such projects. This would help overcome the limitations inherent in short desk reviews in terms of lessons learning and reduce the time burden on grant-receiving organisations arising from multiple evaluations.

Recommendations

To APT:

APT should continue the approach evident in its OPCAT project including combined country prioritisation with flexibility to engage in others when useful opportunities arise; fostering of partnerships and generating 'multiplier' effects based on its comparative advantages and contribution to networks.

APT should build on its awareness of the need for more systematic measurement of its efforts, including the relationship between its activities to outcomes/impacts, in particular with regard to less tangible changes (political will for progress on torture issues, civil society co-ordination, awareness raising regarding torture/NPMs etc). In particular the adoption of a more systematic use of project cycle management tools to its OPCAT work can generate time efficiencies (standardised mission reports detailing what action is recommended, by whom, for example) without necessarily hampering its ability to be responsive to short notice opportunities that arise in non-priority countries. The priority of systematic common benchmarks and indicators to tracking change will become all the more important as OPCAT ratifications progress and emphasis shifts more to assessing the effectiveness of NPMs. APT's recent appointment of a Chief of Operations should help systematise current information sharing and transfer of lessons learned in more formalised organisational monitoring and evaluation system.

APT might usefully formalise and document its partnership approach, both for its own institutional reflection and memory and as a means of signalling to partners the primacy of State and host society responsibility to address torture. Such a document would also enable APT to transfer lessons learned and help legitimise civil society input on torture issues and highlight the state as the primary duty-bearer.

APT advocacy is strengthened by its acknowledged legitimacy, in part linked to its seminal role in the evolution of OPCAT. It can enhance this further by systematising its current use of embassies in target countries for advocacy and other support. This is currently done with some donors financially supporting APT and where established relationships exist but might usefully be made routine in particular utilising the advocacy weight of EC delegations (linked to its development donor influence) as appears to have happened with the Lebanon OPCAT work.

APT should continue to expand its development OPCAT manuals and tools and in particular versions in languages that suffer from a dearth of human rights materials.

To Irish Aid

Financial and political support to APT from Irish Aid is likely to generate sustainable impacts in the fight

against torture. As part of visible donor and implementer accountability and in depth lessons learning future support should be accompanied by full independent *impact evaluation* (beyond Treaty ratification or establishment of institutions). Consideration should be given to such evaluation being done in conjunction with other donors.

Annex 1 Terms of reference

The terms of reference stipulated "7 days of work: 2.5 days reading; 1 day Skype interviews with relevant APT staff; 3.5 days report drafting" with report to be formulated in line with Irish Aid Guidelines for Reporting, Monitoring and Evaluation of projects funded under The Civil Society Fund (CSF) April 2007

Annex 2: Review Methodology

The review was desk based and not itself to gather primary data regarding programme outcomes and impact etc (other than questionnaires and interviews on such questions.

The review was conducted on the basis of **non-attribution** of views. **Feedback on a draft** was sought from APT. The review sought to be **process-oriented** by seeking to contribute where possible to an ongoing internal, self-identified, change process.

As a desk-based review **consideration of documentation** was a central aspect of the review and APT was invited to provide documents it felt were relevant to the OPCAT project generally insofar as they relate to the time frame of Irish Aid support.

Individual telephone Interviews were conducted with all APT regional coordinators and the OPCAT project coordinator.

*E-mail Questionnaires***:** To supplement information from documentation and telephone interviews a selection of key stakeholders in a range of countries were invited to submit observations through of short email questionnaires (see below annex). These brief surveys covered a range of stakeholders formal and informal partners as well as others working on torture issues generally and OPCAT specifically.

Annex 3: Documents Reviewed

APT 3 year proposal to Irish Aid (Civil Society Fund) 28th March 2008 & Clarifications (16 May 2008);

Internal APT document concerning APT's OPCAT Ratification Campaign 2008;

Irish Aid Assessment of APT Proposal;

OPCAT related field mission, conference and meeting reports over the granting period (14 August 2008 to 13 August 2009)

- Conference Conclusions: The Optional Protocol in Federal and Decentralized States Tuesday, 23-26 September 2008, Buenos Aires, Argentina

- OPCAT advocacy in the Philippines (September 08):

- International seminar on OPCAT in Uruguay (October 2008):

- OPCAT advocacy in Togo (October 2008):

- Regional seminar on OPCAT in Central America (October 2008):

- Lobbying for prevention of torture in UN General Assembly meeting (October 2008):

- Sharing experiences on OPCAT with fellow human rights organization (Paris November 2008):

- Facilitate preparation of SPT visit to Paraguay (December 2008):

- International conference on the prevention of torture; Washington DC (March 2009): - Implementing OPCAT in Lebanon (March 2009):

- Expert meeting on self assessment tools for National Preventive Mechanisms (NPMs) (23 - 24 February 2009, Washington, USA):

- Strategic planning for Costa Rican NPM (April 2009):

- Advocacy for prevention of torture & OPCAT in Africa region; Banjul May 2009,Geneva June 2009):

- Workshop on the designation of the NPM Santiago, Chile 4-7 August 2009):

Publications and tools part-funded by the Irish Aid Grant

- APT's OPCAT guide

- OPCAT monthly briefings

- OPCAT FAQ

A range of other documents available on the APT web site relevant to the project were reviewed selectively.

Annex 4: Sample questions for semi-structured telephone interviews

A. In your region (and where relevant in countries covered by the project) what would you identify as being most/least successful in terms of results & impacts as envisaged by the project, and reasons for this.

B. What would you identify as the key lessons learned over the project period?

C. In terms of benchmarks & indicators, how do you seek to measure 1) progress in any particular country 2) APTs input to that progress
1. progress/regression with regard to OPCAT ratification
2. effectiveness of an NPM
3. enhanced capacity of Civil Society to engage in torture prevention

D. What is your experience of country visits planning within APT as an organisation? How are recommendations from country visits followed up? Any observations on how this system works?

E. How do you benefit from/contribute to replication of best practice by colleagues working on different regions/ other actors addressing torture as a priority theme? any suggestions on how this might be enhanced?

F. Drawing upon the projects lessons learned what are the key issues to be addressed in the context of the functioning of the SPT?

G. Have you found ways to avail of Irish Government and/or EC presence in a target country/Geneva/New York to further the project objectives? Any observations on this?

H. Assuming all other funding is in place, from your individual perspective what would be the optimum use to which a sum of 150,000 euro might be put by APT in 2010?

I. Any other observations/comments that you wish to raise to facilitate the review

Annex 5: Email Survey

Review of Irish Aid funded OPCAT activities by Association for the Prevention of Torture (APT) during 2008-90

The International Human Rights Network (IHRN) has been commissioned to conduct a review of APT activities funded by IrishAid during 2008-90 *on the promotion of the ratification and implementation of the Optional Protocol to the UN Convention against Torture (OPCAT)*
Project objectives were to:

    1. Promote OPCAT ratification in States which have not ratified.

    2. In States Parties to the OPCAT, facilitate the designation and establishment of NPMs

    3. To cooperate with and assist the UN Subcommittee on the Prevention of Torture (SPT)

    4. Advocate for State authorities to meet their international obligations to prevent torture and other forms of ill-treatment.

    5. Strengthen the capacity of civil society to be involved in the torture prevention system.

    6. Raise awareness about the torture prevention system, particularly amongst authorities involved in its application.

    7. Activate a sustainable and dynamic network of international, regional and national actors committed to torture prevention.

As part of a desk review of the project inputs are sought from a cross-section of partners and others familiar with APT's work, in particular during that period. Views are sought on the basis of no-attribution and sources of views expressed are confidential to the review team. **Answers and observations are welcome in your native language.**

If possible we would appreciate receiving completed forms back by Friday November 6th Please send completed forms to pharney@ihrnetwork.org with "APT review" in the subject line.

Your assistance to this review is greatly appreciated.

1. **Relationship**

   What is your organisation's relationship with APT (eg a strategic partner organisation; partner on specific project/initiatives? please specify. – what is your individual role?

2. **Coordination/complementarities.**

   How does APT coordinate/compliment with your organisation's activities? And other organisations working on torture in your country?

3. **Quality of work**

   How would you assess the quality of APT's OPCAT related work? (What is it best at? On what issues might it improve? how?)

4. **Comparative advantages.**

   Are their specific advantages that APT brings to the promotion of OPCAT compared to others?

5. **Impact**

   What would you describe as APTs most significant impact in the context of the project's objectives? Can you mention any concrete examples of situations where APT has had a direct influence on the situation regarding torture in your country?

6. **Sustainablity**

   How would you categorise APT's work in terms of contributing to sustainability of local actors? Specific examples? Suggestions for enhancement?

7. **Any additional observations**