

# Working with the UN Subcommittee on Prevention of Torture

A practical guide for NGOs engaging  
with the process of SPT country visits



**irct**

International  
Rehabilitation  
Council for  
Torture Victims



**irct**

**International  
Rehabilitation  
Council for  
Torture Victims**

The International Rehabilitation Council for Torture Victims is an independent non-profit global organisation with a membership of more than 140 rehabilitation centres in 74 countries and with over 25 years experience. The work of the IRCT is threefold: rehabilitation of torture victims and their families; ensuring victims' access to justice; eradication of torture.

# **Working with the UN Subcommittee on Prevention of Torture**

A practical guide for NGOs engaging with the  
process of SPT country visits

April 2012

# Table of Contents

<b>Introduction</b>	<b>5</b>
<b>What is the SPT</b>	<b>5</b>
<b>SPT country visits</b>	<b>6</b>
<b>How to contribute to the different phases of an SPT country visit</b>	<b>8</b>
Selection of countries to be visited	9
Before the visit	10
During	12
After	13
<b>The IRCT</b>	<b>16</b>
<b>Checklist</b>	<b>17</b>
Country selection	17
Visit preparation	17
During visit	17
Follow up	17
Practical information	18

# Introduction

This practical guide aims at providing torture rehabilitation centres and other NGOs involved in anti-torture activities with easily accessible and practical advice on how to most effectively engage with and contribute to country visits by the United Nations Subcommittee on Prevention of Torture (SPT) to promote relevant and high quality outcomes from the visit.

The guide will provide a general introduction to the SPT and its mandate followed by a walk through of each of the four main phases of a country visit. This will include

background information and recommendations on how to engage with the SPT in a way that maximises impact and limits the time and cost investment.

The information and recommendations in this practical guide have been collected through questionnaires, interviews and more informal conversations with a wide range of stakeholders including SPT members, OHCHR staff members and national and international NGOs. The IRCT wishes to thank all the contributors for their valuable input to this guide.

## What is the SPT

The SPT is a United Nations (UN) treaty body of 25 independent experts who are mandated to promote the prevention of torture through a global system of mechanisms to monitor places of deprivation of liberty (hereinafter referred to as places of detention). The rationale is that ongoing monitoring of places of detention will improve the general conditions of detention and discourage torture and ill-treatment of detainees and prisoners.

The SPT implements its mandate through

three different types of activities: undertaking direct visits to places of detention; advising and assisting in the establishment of National Preventive Mechanisms (NPMs) responsible for ongoing detention monitoring at the national level<sup>1</sup>; and cooperating with other regional and international bodies to increase the protection of persons against torture and ill-treatment.

The work of the SPT is led by a bureau consisting of a chairperson and four vice-chairpersons, who are responsible

---

1. To learn more about the role and establishment of NPMs see Establishment and Designation of National Preventive Mechanisms, APT, 2007 - [http://apt.ch/index.php?option=com\\_docman&task=cat\\_view&gid=117&Itemid=257&lang=en](http://apt.ch/index.php?option=com_docman&task=cat_view&gid=117&Itemid=257&lang=en)

for different areas of the SPT's work: visits, NPMs, external relations and jurisprudence/rapporteur. Furthermore, the SPT has assigned the responsibility of regional focal point to four of its members covering Asia, Africa, the Americas and Europe. Other members play also a very active and important role on the work of the SPT.

The SPT was established under the Optional Protocol to the Convention Against

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), which means that it is only mandated to visit and otherwise engage with countries that have ratified or acceded to the OPCAT. Information about countries that have ratified or acceded to the OPCAT can be found here: [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-9-b&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-9-b&chapter=4&lang=en)

## SPT country visits

Country visits are one of the main activities of the SPT. The aim of the country visit is to address systemic problems leading to a risk of and/or real practices of torture or ill-treatment. This is done through an on-site evaluation of the legislation, the policy and institutions relating to places of detention, conditions of detention and measures taken to prevent torture and ill-treatment, such as the establishment of an NPM and the implementation of basic legal safeguards such as access to a lawyer and a doctor of one's own choice. The SPT is among the international human rights monitoring bodies that spend the most time in the field in each of the countries it reviews. As a result, its analysis and recommendations are often more detailed, precise and concrete than what is provided by many other international human rights monitoring bodies. For organisations working on torture eradication, an SPT country visit is an excellent opportunity to bring

international attention to your priority issues and to use international monitoring for promoting domestic change.

The SPT visits can focus on different elements of its mandate. In some cases, the main focus is to visit places of detention to assess how the treatment of detainees and the conditions of detention can be brought in compliance with international standards, including those prescribed in the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and other instruments, such as the Standard Minimum Rules for the Treatment of Prisoners. In other cases, the SPT might visit a country to follow up on the implementation of previous recommendations or to provide technical support for the establishment of a NPM. The duration of country visits varies depending on various elements such as the size of the country, complexity of governmental structures, the size of the prison population and

the purpose of the visits. In practice, visits have lasted between five and seventeen days. The number of SPT members who participate in country visit varies, but the SPT always aims to send members with diverse skill sets, including from the health and legal profession and those with knowledge of gendered approaches.

During the visit, the SPT will meet with all relevant stakeholders including representatives from relevant ministries, police and detention officials, National Human Rights Institutions (NHRI), NPMs if they have been designated, or, alternatively persons involved in the establishment of a NPM, NGOs and relevant UN field offices.

Most importantly, the SPT will visit a number of different places of detention in the country. These include a wide variety of places where persons are or may be deprived of their liberty including police stations, regular detention centres, detention centres for migrants and asylum seekers and mental health and social care institutions. The aim of these visits is to assess the general conditions and treatment of detainees. The SPT does not address or otherwise take up individual cases of torture or ill-treatment that it may encounter during its visits.

The outcome of an SPT country visit is a confidential report analysing the country

situation and providing recommendations for how to improve the conditions of detention and prevent the occurrence of torture and ill-treatment. It is important to note that the analysis and recommendations not only focus on the situation inside places of detention but also look at other elements that may contribute to the prevention of torture, such as accountability procedures, capacity building needs and the legal and institutional framework. The report will also contain a separate section looking at the status of NPM establishment and the functioning of NPMs where these have been established.

The report will be transmitted to the government usually within three to five months after the visit has been finalised. The government will be requested to provide written information on initiatives taken to implement the recommendations of the SPT within six months of receiving the report.<sup>2</sup> Based on these responses, the SPT might initiate a written and oral dialogue with the government on implementation of its recommendations, and, in some instances, it might request a follow up visit.<sup>3</sup> These visits are likely to be shorter and specifically focused on engaging the government on its implementation of some or all of the recommendations made by the SPT after its initial visit.

---

2. Fourth annual report of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, CAT/C/46/2 (3 February 2011), paragraph 19

3. Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 13, paragraph 4

# How to contribute to the different phases of an SPT country visit

The SPT process of undertaking country visits can broadly be divided into four phases (Figure 1): the selection of countries to be visited; the preparation of the visit; the conduct of the visit; and follow up to the visit. This process is designed as a cycle that is supposed to repeat itself every four to five years.<sup>4</sup> However, due to a lack of funding for logistical support to the SPT, the current capacity dictates a much longer time gap between visits to each of the countries that have ratified or acceded to the OPCAT.



Figure 1 - The process of undertaking SPT country visits

Through a strategic interaction with the SPT, NGOs can contribute and support the process in each of the four phases. In order to do this effectively, it is important to understand how the SPT works in each of these phases and what are the appropriate methods for contributing to its work. Before looking at the four different phases, it is important to introduce a few general considerations that should guide the interaction with the SPT:

- The SPT is composed of independent experts who are working full-time jobs in addition to their work for SPT. Furthermore, the capacity of the SPT Secretariat to provide substantive logistical support is limited by a lack of sufficient funding allocated from the overall UN budget. For these reasons, it is important that any information provided to the SPT is focused within the SPT mandate and not more extensive than necessary.
- The mandate of the 25 SPT members currently covers 62 countries and this number is expected to increase in the coming years. This means that

4. Third annual report of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, CAT/C/44/2(25 March 2010), paragraph 21



the SPT members may not be local or even regional experts on the countries they visit. However, in order to conduct effective visits, the SPT needs to have a thorough understanding of local, national and regional practices that they may need to look out for during the visit. It is therefore absolutely key that information provided to the SPT takes into consideration the need to make the members as familiar as possible with the local context in the country they are visiting. Examples of this could be information about specific rooms or sections in a detention centre where torture is practiced or information about local customs that are relevant to the field visit.

- The SPT carefully scrutinises all information provided to it in order to assess the situation in a given country. In this regard, it is crucial that all information provided to the SPT is completely reliable, since any information that lacks credibility may cast a negative light on the entire body of information provided by NGOs. It is important that situations are not exaggerated, that the information is objectively presented without value laden commentary and that it is clearly indicated when information is not up to date – meaning things might have changed.

## Selection of countries to be visited

Each year during its November meeting in Geneva, Switzerland, the SPT makes

a formal decision on which countries to visit during the following year. In 2012, the SPT will conduct six country visits, with three of the visits limited in focus to selected elements of its mandate such as establishment and functioning of National Preventive Mechanisms, and the remaining three visits focused on all aspects of its mandate. Depending on the available budget, the number of visits might increase in the coming years.

Formally, the decision on which countries to visit is taken by consensus and, if needed, by a simple majority vote. In practice, the list of countries to be visited is drawn up by the bureau based on recommendations made by SPT Regional Task Forces and then presented to the full membership for approval.<sup>5</sup> In selecting the countries, the SPT will take into consideration factors such as date of ratification, development of NPM, geographic distribution, the size and complexity of the state and reports of urgent issues. Furthermore, the SPT will strive not to duplicate the work of existing regional monitoring mechanisms, such as the CPT in the Council of Europe Region.

A comparison of the regional distribution of visits with ratifications of the OPCAT shows an overrepresentation of visits to countries from Asia, Africa and Latin American compared to countries from the Council of Europe region, which have only been targeted for 14% of the visits despite representing more than 50% of ratifications.

5. Guidelines of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in relation to visits to States parties, 18 January 2011, paragraph 3

NGOs that wish to get the SPT to visit their country can submit information to the SPT in advance of the annual selection of countries, which takes place in November each year. The aim is to provide the SPT with a better evidentiary basis for making its country selection. This information could contain an updated description of the situation in places of detention in your country, including illustrative statistics, descriptions of possible urgent situations, descriptions of ongoing efforts to improve the situation and an outline of how a visit by the SPT is expected to improve the situation. In order for the SPT Secretariat to be able to process the information in time, it should be short and concise and it should preferably be sent at least two months in advance of the November session. At this stage, the main objective is to make the SPT aware of the relevance and need for a visit to your country, and you should thus mainly focus on a general description of the situation rather than very detailed descriptions of specific issues. Considering that the SPT generally does not address individual cases, there is no need to submit such documentation.

Another method of promoting SPT visits to your country is to lobby your own government to invite the SPT for a visit. An invitation is not a guarantee that the SPT will select your country as there are other considerations involved. However, a visit invitation from the government sends a very positive signal about its willingness to constructively engage with the SPT, which can only have a positive impact on the likelihood of your country being selected for a visit.

Lastly, when trying to get your country selected for a visit, it is important to consider

whether it is necessary to have a full monitoring visit or whether it is more relevant to have a visit that is mainly focused on NPM establishment or other aspects covered by SPT's mandate. These considerations should be clearly communicated to the SPT.

## Before the visit

Immediately after its November session, the SPT publishes its visiting schedule for the following year. Once this schedule is released, the SPT Secretariat begins compiling a brief containing up-to-date background information on the countries to be visited. This country brief consists of information from a variety of different sources such as governmental agencies; UN agencies, country offices, relevant special procedures mandates (such as the Special Rapporteur on Torture and the Working Group on arbitrary detention) and treaty bodies (such as the Committee Against Torture); National Human Rights Institutions; and NGOs. The objective of the country brief is to familiarise the individual SPT members with the situation in the country. The brief will also form the background for elaborating a visiting schedule; for example, setting out which regions and specific detention facilities to visit.

Here it is important for NGOs to make sure that the SPT has the best possible factual background to develop its visiting schedule. This can be done by submitting an NGO report focused on the situation in places of detention in your country and other issues pertinent to the broader focus of preventing torture. Depending on the local situation, this report can focus on a variety of different issues, such as: (1) the legal and institutional framework for protection of detainees and accountability for torture

and ill-treatment; (2) access to basic legal safeguards such as a lawyer and doctor of one's own choice; (3) the physical and psychological conditions in places of deprivation of liberty, including mental health institutions; (4) specific practices of torture and ill-treatment in places of detention; (5) places or practices of particular concern; (6) the existence of secret places of detention; and (7) the functioning of the NPM (or the process of establishing an NPM).

In Mexico, NGOs drew the SPT's attention to a number of detention facilities that were not recognised by the government in the list of existing detention facilities submitted to the SPT. This enabled the SPT to visit and report on the situation in these detention facilities despite the lack of government recognition of their existence.

When producing the report, it is important to keep a few general considerations in mind. First, for most countries, the SPT will have many resources that can provide the general picture of torture and ill-treatment in the country, such as other UN human rights mechanisms and regional mechanisms. Second, the SPT only has a limited amount of time available during the visit, which means that they may not have a lot of time to understand the complete situation and context in the individual detention facilities it visits. It is therefore very helpful if they have some idea of what to look out for in specific places of detention.

NGOs can contribute to this by producing reports, which are as concrete and well-documented as possible. This may include

statistics and case examples focusing on the situation in specific places of detention or the use of specific methods/practices of torture and ill-treatment. It is important to note that statistics should preferably be processed and with commentary, and cases should not be submitted in the hope that they are individually addressed – only to illustrate trends. Another focus area could be the impact of certain rules or regulations on torture and ill-treatment in detention. Through these reports, the SPT members will be better prepared, and they will have a solid understanding of the context around specific places of detention, which would otherwise be difficult to obtain without a more continuous detention monitoring in a country. In other words, one of the main objectives is to put the members of the SPT delegation in a position where their understanding and appreciation of the national context is as close to that of a local detention monitor as possible.

Although there are no fixed deadlines for when to submit the reports, it is recommended to submit them as early as possible after the visit has been announced to make sure that the SPT and its Secretariat has sufficient time to process and analyse the information. It may be advisable to contact the SPT Secretariat directly in order to get an indication of any informal deadlines for submitting information.

Another good practice in preparation for SPT visits is to have a pre-mission seminar in the country involving all relevant stakeholders, including government representatives, representatives of the NPM and NHRI, civil society and one or more SPT members. The aim of such a seminar is to ensure a greater familiarity among domestic stakeholders with the procedures

of an SPT visit and its expected outcomes. Furthermore, such a seminar gives the SPT members an opportunity to have informal preliminary discussions with all relevant stakeholders in preparation for the visit to increase their understanding of the local context. The experience with these seminars has been that they contribute significantly to the quality of the subsequent visit since all parties are better prepared. When arranging such a seminar, it is important ensure that there is broad participation so that it does not appear as an NGO lobbying event.

as a joint meeting for all NGOs at the same time, lasting for approximately half a day. However, in special circumstances, NGOs can request private confidential meetings with the SPT. This could be based on concerns for security or confidentiality of the information they intend to present or if there are other compelling reasons. If a private meeting is requested, it is important to clearly explain the justification for why this is necessary.

For the meeting to be as constructive as possible, it is very important that NGOs carefully consider what type of information

On the occasion of the SPT visit to Brazil, the Association for the Prevention of Torture (APT) invited two SPT experts to participate in OPCAT promotional activities in the states of Sao Paulo, Rio de Janeiro and Brasilia, prior to their official in-country mission. On that occasion, the SPT members met bilaterally with a wide range of actors, including local authorities, civil society organisations and other relevant institutions. Those activities enabled the SPT members to gather first-hand information on the situation of prevention of torture and ill-treatment in the country and adapt their official visit agenda on the basis of updated and accurate information. They were also able to establish informal contacts with the authorities and explain the objectives and methodology of their in-country missions. The APT, together with its local partners, also submitted written information to the SPT Secretariat on the status of OPCAT implementation in Brazil, with a specific highlight on the situations at risks in specific states. Such information completed the information gathered by the SPT in their country brief and assisted them in selecting the states and places to visit during their in-country mission.

## During

At the start of a country visit, the SPT will meet with a wide range of different representatives from governmental agencies in order to hear the government's view of the situation in the country. Following its meetings with the government, the SPT will meet with relevant NGOs in order to obtain counterbalancing information from civil society. Often, the meeting will be arranged

they will present and how they will present it. The meetings are very limited in time with often many NGOs wishing to speak. It is therefore important that the NGOs properly coordinate their speaking time in advance of the meeting to ensure that all stakeholders get to provide input. Coordination is also important to ensure that different NGOs cover different topics so that no time is wasted on presenting the same information twice.

Since it can be assumed that the SPT members have read the NGO reports submitted in advance, it is important to focus the NGO meeting on providing updates to the reports rather than reiterating what is already in there. Here, it is always helpful to supplement the oral briefing with a short written update for the members to take with them. It is never entirely possible to predict how much background knowledge the SPT members have and where their main interests lie. Therefore, it is very important to leave sufficient time for the members to ask questions arising from either the NGO written information or the meetings in country with government representatives and other stakeholders. In this way you can make sure that the SPT members leave the meeting with the most relevant information that civil society has to offer.

When the meeting takes place, the agenda of the visit is already fixed. It is unlikely that the agenda will change unless the information presented to the SPT warrants it. This could for instance be due to new information about secret places of detention or similar urgent information. However, in the interest of proper preparation all available information to contribute to the visit agenda should be presented before the visit and not during the NGO meeting. If new information has surfaced, it will be important to explain why it is only being present at this stage, and why it is important for the SPT to take this into account in its visiting agenda.

## After

When the visit is concluded, the SPT will hold a confidential debriefing with government

representatives outlining its main findings. This will be followed by a brief press release listing places of detention visited by the SPT. Since the process is confidential until otherwise requested by the government, one should not expect to hear any substantive comments on the country situation. Subsequently, the SPT will produce a report containing the findings of the visit and concrete recommendations on how to improve the protection against torture and ill-treatment. The SPT will then request that the government provide written information within six months from receiving the report on initiatives taken to implement the recommendations. Based on this, the SPT may engage in written and oral exchanges with the government on implementation of the recommendations or, in some circumstances, request a follow-up visit.

There are at least four key roles that NGOs can play after the end of the visit. These relate to the publication of the visit report; protection of the inmates in the institutions visited by the SPT; implementation of the SPT's recommendations; and submission of follow-up information.

Many countries visited by the SPT will not be very inclined to publish the reports of the visit – especially not if the report exposes possible violations of international standards for treatment of persons deprived of their liberty. At the time of writing, 50% of the countries that have received the report from SPT have agreed to make it public.<sup>6</sup> The publication of the report is absolutely crucial in order for all stakeholders to be able to engage in implementing the recommendations and to ensure that the state is

---

6. A total of six out of 12 states have agreed to make the visit report public. Most of the states that have not agreed are the ones visited more recently, and they still agree to publication at a later stage.

held publically accountable for the situation in its detention centres. Therefore, it is important that NGOs in collaboration with other interested stakeholders make their best efforts to promote the publication of the report. There are no fixed methods for doing this since the methodology for influencing such government decisions depends on the specific context and regulation in the country concerned. However, it is worth highlighting a very positive experience from Mexico, where NGOs managed to get the report published through lawsuits based on domestic access to information laws.

Human Rights Council's Universal Periodic Review.<sup>7</sup> These international mechanisms can support and contribute to existing domestic advocacy efforts but should not be relied on alone.

One of the main concerns of UN human rights monitoring mechanisms, such as the SPT, is the risk of reprisals against persons who collaborate with them or provide them information. This risk can be very high for persons who provide testimony to the SPT since they have very limited possibilities of protecting themselves against detention personnel and other would-be

When the Mexican government received the SPT report, it decided not to make it public. A group of NGOs then decided to make a request based on IFAI (Federal Institute for Access to Information). First, the request was rejected and the government argued that the publication of the report would pose a risk to national security.

After another legal argument, IFAI decided to oblige the government to make the report public. That same day the report was published in the webpage of the Secretary of Foreign Affairs, together with a plan of action regarding the implementation of the recommendations.

The request to make the report public was done by the NGOs because they knew that it would give them the opportunity to press for the implementation of the recommendations and also point out that the state again received many recommendations.

Another way of promoting publication is by ensuring that other international or regional human rights mechanisms bring up the issue of publication when they conduct their country reviews. This could, for instance, be when your country is reviewed by UN treaty bodies such as the Committee Against Torture or the Human Rights Committee or during the examination in the UN

perpetrators. The periods immediately after the visit and again after the publication of the visit report can be particularly high-risk periods, since these events might expose misconduct by detention personnel and prompt criminal or administrative sanctions against them. NGOs that have access to places of detention and the NPM can seek to increase the protection against

7. For more information on these bodies see <http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>; for a guide on how to influence the Universal Periodic Review see <http://www.irct.org/Files/Filer/publications/UPR-Guide.pdf>

reprisals by increasing the frequency of visits to those detention facilities visited by the SPT immediately after the visit and when the report is submitted to the government (the detention centres visited are listed in the press release). The presence of NGO and NPM representatives can often have a significant preventive effect in this regard. However, since it is not always very clear when the SPT releases its report to the government, one may request that the SPT Secretariat announce publically or just to the NPM and NGO community when the report is released to the government, so they know when to take action.

Follow-up to recommendations is among the most important elements of the work of international human rights monitoring mechanisms such as the SPT. It happens all too often that there is little or no implementation of recommendations given by such mechanisms. While the government is mainly responsible for this follow-up, NGOs also have an important role to play.

When the domestic political environment allows, NGOs can engage with the government and other national and international stakeholders to support the implementation of SPT recommendations, if these are made public. For certain services in detention, such as torture rehabilitation, NGOs might be better positioned to provide the direct services than government actors due to their independent status. In other cases, NGOs simply possess skills that the relevant government agencies do not have, such as torture documentation knowledge. This does not mean that the primary responsibility falls on the NGOs, but they do have a role to play. Before engaging in such activities, it is important to make a thorough evaluation of how genuine the

governments' engagement is, in order to avoid NGOs and other actors being used to shelter the government from further international criticism.

In order for the SPT to effectively monitor the implementation of its recommendations, it is important that it receives follow-up reports both from the government and from national NGOs, so that it can conduct a balanced assessment. To promote this, NGOs can lobby the government to submit its written follow-up information within the six-month deadline established by the SPT. Furthermore, NGOs can submit their own follow-up reports to the SPT. In a case where the visit report is not public, NGOs can submit follow-up reports to provide a general update on whether the situation in detention facilities has changed after the visit, with a special focus on the facilities visited by the SPT as listed in the visit press release. Even though they cannot know exactly what recommendations were made to the government with regard to specific detention facilities, they can make sure that the information targets some of the issues identified in NGO reports prior to the visit since these are likely to have been the focus of some SPT recommendations. In addition, the report can also focus on the process of establishing an NPM and the functioning of existing NPMs since this will always be of interest to the SPT. Such a report should be submitted approximately around the six-month deadline imposed on the government.

In cases where the visit report is public, NGOs have the opportunity to focus their follow-up reports on the implementation of specific recommendations in the report. In this situation, it is advisable to hold off submitting the follow-up report until the

six-month deadline for the government passes in order to see if the government report is made public. If this is the case, the NGO follow-up report can correct misinformation provided by the government. Reflecting on a public report also prevents NGOs from wasting resources by allowing for more targeted commentary and preventing duplicate information. For the follow-up reports, it might be useful to point out if there are specific areas where the implementation is particularly weak since this could possibly be made subject of a subsequent visit. Depending on the national context, it might be relevant to form an NGO-monitoring coalition where a group of NGOs divide the monitoring of recommendations between them. Therefore the burden on each organisation will be smaller, and it will be possible for the coalition members to focus on areas where they have their main expertise. It may also

be relevant to divide the monitoring geographically.

In cases where the government is not adequately implementing the SPT recommendations despite NGO engagement and SPT follow-up procedures, NGOs can try to use other international or regional human rights monitoring mechanisms to push the government to improve its performance. This could be either through promoting genuine engagement with the follow-up procedure or by promoting the implementation of specific recommendations. In addition to the different regional mechanisms, the United Nations UPR and state reviews in CAT and the Human Rights Committee could be good venues for such activities. As mentioned above, these options should be seen as complementary and coupled with active national advocacy activities.

## The IRCT

The International Rehabilitation Council for Torture Victims (IRCT) is an independent non-profit global organisation with a membership of more than 140 rehabilitation centres in 74 countries and with over 25 years' experience. The work of the IRCT is threefold: rehabilitation of torture victims and their families; ensuring victims' access to justice; and eradication of torture.

It is our hope that this guide will help empower human rights advocates around the world to effectively engage with the SPT

before, during and after its country visits in order to promote domestic change for the prevention of torture and ill-treatment. The IRCT is committed to working closely with our national partner organisations to help them maximize the impact of an SPT visit on the domestic situation. Depending on the domestic need, interest and available resources, we are ready to work with our partners in relation to all four stages of the SPT visit cycle.



# Checklist

## Country selection

- Submit short and focused information clearly identifying the expected benefits of an SPT visit to your country at least two months in advance of country selection, which takes place in November each year
- Clearly indicate what type of visit would be relevant (full visit, follow-up, NPM advisory visit?)
- Lobby your own government to invite the SPT

## Visit preparation

- Submit information to the SPT well in advance of the visit – contact the SPT Secretariat for informal deadlines
- Information submitted should aim at helping the development of the visiting agenda (i.e. which places of detention to visit) and provide the SPT members with the necessary detailed contextual information about specific places of detention to enable more effective visits
- Clearly indicate specific concerns such as problematic practices, detention facilities or regions
- Organise pre-mission seminars, if possible with the participation of an SPT member, to better prepare all stakeholders for the visit

## During visit

- Plan and coordinate among NGOs before meeting with SPT members to ensure equal speaking time and that information is not duplicated
- Focus on new information and not what is already in NGO reports submitted to the SPT during the preparation phase
- Leave sufficient time for dialogue with the SPT members and for answering specific questions

## Follow up

- Promote publication of visit report through advocacy and possibly access to public information lawsuits
- Protect detainees against reprisals including by being present in places of detention visited by SPT during high-risk periods (right after an SPT visit has finished and right after the SPT visit report is submitted to the government).
- Engage with the government on implementing concrete recommendations to the extent that this is politically feasible.
- Submit follow-up information to the SPT on implementation of the recommendations and advocate with your government to engage constructively with the SPT in the follow-up stage.

## Practical information

CVs of the individual SPT members are available here: <http://www2.ohchr.org/english/bodies/cat/opcat/docs/MembersCV/GojanovicCV.pdf>

All written information to the SPT must be in one of the working languages of the Subcommittee (English, French or Spanish) and if possible translated into more than one of these languages.

The contact details of the Secretariat are:

Optional Protocol to the Convention against Torture (OPCAT) – Subcommittee on Prevention of Torture (SPT)

Human Rights Treaties Division (HRTD)

Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais Wilson - 52, rue des Pâquis

CH-1201 Geneva (Switzerland)

**Mailing address:** UNOG-OHCHR CH-1211 Geneva 10 (Switzerland)

Tel.: +41 22 917 97 72

Fax: +41 22 917 90 08

E-mail: [opcat@ohchr.org](mailto:opcat@ohchr.org)





**irct**

**International  
Rehabilitation  
Council for  
Torture Victims**

Borgergade 13  
P.O. Box 9049  
1022 Copenhagen K  
Denmark  
Tel: +45 33 76 06 00  
Fax: +45 33 76 05 00  
Email: [irct@irct.org](mailto:irct@irct.org)  
Website: [www.irct.org](http://www.irct.org)