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Promotion and protection of human rights: implementation of human rights instruments

United Nations Voluntary Fund for Victims of Torture

Report of the Secretary-General

Summary

The present report, which is submitted in accordance with General Assembly resolutions [36/151](#) and [70/146](#), describes the activities undertaken by the United Nations Voluntary Fund for Victims of Torture, in particular the outcome of the forty-ninth session of the Board of Trustees of the Fund, held in Geneva from 1 to 5 April 2019.

* [A/74/150](#).



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 [36/151](#), by which it established the United Nations Voluntary Fund for Victims of Torture. It presents the activities undertaken by the Fund, in particular the outcomes of the forty-ninth session of the Board of Trustees, which was held in Geneva from 1 to 5 April 2019. The report complements the report on the activities of the Fund submitted to the Human Rights Council at its fortieth session ([A/HRC/40/21](#)).

B. Mandate of the Fund

2. The Fund receives voluntary contributions from Governments, non-governmental organizations and individuals. In accordance with its mandate and the practice established by its Board of Trustees, the Fund provides grants to established channels of assistance, including non-governmental organizations, associations of victims and members of their families, private and public hospitals, legal clinics and public interest law firms, that submit project proposals for the provision of medical, psychological, social, financial, legal, humanitarian and other forms of direct assistance to victims of torture and members of their families.

C. Administration of the Fund and Board of Trustees

3. The Secretary-General administers the Fund through the Office of the United Nations High Commissioner for Human Rights (OHCHR) with the advice of the Board of Trustees, which is composed of five members acting in their personal capacity and appointed by the Secretary-General with due regard for equitable geographical distribution and in consultation with their Governments. The Board is currently composed of Sara Hossain (Bangladesh), Lawrence Mute (Kenya), Vivienne Nathanson (United Kingdom of Great Britain and Northern Ireland), Gaby Oré Aguilar (Peru) and Mikołaj Pietrzak (Chair, Poland).

II. Forty-ninth session of the Board of Trustees

4. The forty-ninth session of the Board was held in Geneva from 1 to 5 April 2019 and was chaired by Mikołaj Pietrzak. In line with its agenda, the Board covered three main issues: fundraising prospects; coordination with anti-torture mechanisms; and other initiatives and working methods of the Fund.

A. Knowledge-sharing

Expert workshop on “Surviving torture and fighting stigma: the road to recovery for victims of sexual and gender-based torture”

5. On 3 and 4 April 2019, the Board of Trustees convened an expert workshop to discuss current challenges in redress for and rehabilitation of victims of sexual and gender-based torture. The workshop brought together 23 professionals from various backgrounds (medical, psychological, social and legal) from rehabilitation centres financially supported by the Fund (see annex) and three victims of torture receiving services through these projects.

6. The workshop was part of the annual series of thematic discussions that was initiated by the Board in 2014 with the aim of collecting and disseminating expertise on redress for and rehabilitation of victims of torture. Annual thematic workshops bring together victims, human rights defenders and practitioners from projects supported by the Fund to share best practices and identify effective responses to the most pressing continuing challenges confronting torture survivors. The workshops also serve as a platform to display the concrete impact of the Fund's work, bringing forward voices and testimonies on the incidence of torture and the importance of rehabilitation for victims and their families.

7. Before the workshop, on 3 April 2019, the Board of Trustees hosted a high-level public panel on the same subject of sexual and gender-based torture. Panellists shared ideas and best practices and discussed setbacks and challenges to foster the improvement of rehabilitation services. The high-level panel featured Mikolaj Pietrzak, Chair of the United Nations Voluntary Fund for Victims of Torture, Peggy Hicks, Director of Thematic Engagement, Special Procedures and Rights to Development Division, OHCHR, Siris del Carmen Rentería, beneficiary of Fundación Círculo de Estudios Culturales y Políticos (Colombia), Aimé Moninga (Democratic Republic of Congo), President of Men of Hope Refugee Association Uganda and beneficiary of the Refugee Law Project (Uganda), Sonali Gupta, Mental Health Clinic Adviser, Center for Victims of Torture (United States of America), and Jane Connors, Assistant Secretary-General, the United Nations Victims' Rights Advocate.

8. An associated exhibit of 16 photos entitled "The Right to Voice" was organized in partnership with the Fundación Círculo de Estudios, one of the Fund's grantees in Colombia.

9. The workshop was divided into three segments, focusing on: (a) practices for the identification of victims of sexual and gender-based violence amounting to torture and their experiences in overcoming barriers to the provision of redress and rehabilitation services; (b) experiences and lessons learned about the inclusion of gender-responsive and victim-centred approaches to the design and implementation of services for these victims; and (c) the impact of intersectional discrimination on access to services for survivors of torture and targeted support, taking into account factors such as gender, gender identity and sexual orientation, age, ethnicity, disability and socioeconomic status. The discussions and recommendations advanced by the workshop for States, United Nations agencies, international institutions, donors, civil society organizations and other service providers were summarized in a report to be made available on the Fund's website.¹

10. The main recommendations identified at the workshop were as follows:

Legal reform

(a) Recognize the rights and entitlement to benefits of all victims of sexual and gender-based torture, with particular attention to the relevant articles of the United Nations Convention against Torture, including article 1 on the definition of torture and article 14 on the right to redress; and consult the general comments of the Committee against Torture, which provide further elaboration on the provisions of the Convention, with particular attention to general comment No. 3 (2012) on the implementation of article 14 by States parties ([CAT/C/GC/3](#));

(b) Eliminate normative gaps, which may be an obstacle to identifying victims of sexual and gender-based torture and may limit their access to rehabilitation services; such gaps include the lack of recognition of intimate-partner violence, marital rape, child, early and forced marriage, female genital mutilation and other

¹ See www.ohchr.org/torturefund.

harmful practices as criminal offences that can, in certain circumstances, amount to torture, as well as the criminalization of same-sex relations and sex work;

(c) Provide for victim protection programmes that ensure that victims do not confront further violence and can feel safe accessing the justice system: legal reforms should be designed to combat inequality and legal, structural and socioeconomic conditions that perpetuate gender-based torture, as well as sexual and gender-based discrimination more generally;

(d) Ensure a victim-centred and gender sensitive approach in immigration and asylum legal processes, including through the early identification of victims of torture among migrants and asylum-seekers: such reforms could include new programmes that train practitioners to prevent the retraumatization of victims, including by adopting a flexible approach to the delivery of testimony and the administration of physical exams;

Prevention

(e) Develop robust preventive measures, including early warning and early response mechanisms: such measures should include engaging guards, officers, security forces and monitors inside detention centres and police stations to help to change stereotypical narratives about sexual and gender-based violence (see also capacity-building, below);

(f) Promptly and thoroughly investigate allegations of sexual and gender-based torture, and prosecute perpetrators;

(g) Provide training to medical professionals on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), emphasizing the importance of gathering evidence promptly after alleged violations, especially when physical evidence is relevant;

Financial support

(h) Sensitize States, United Nations agencies, international institutions and donors about the critical need for targeted funding to support the rehabilitation of victims of sexual and gender-based torture;

(i) Establish and ensure adequate resources for State services that can provide holistic support to victims of torture or, in the absence of such services, provide adequate, long-term funding to civil society organizations and service providers to ensure the fulfilment of victims' right to rehabilitation;

Capacity-building

(j) Ensure that law enforcement officials and justice operators working on cases of sexual and gender-based violence receive adequate training that addresses the stigma faced by victims, their specific needs and the barriers they face in accessing justice;

Advocacy

(k) Advocate reforms in policy and legal frameworks that may currently pose substantial obstacles to victims' access to the support and services they need;

(l) Use quantitative and qualitative data in a systematic way to support initiatives that advocate legal reforms and changes in the justice system;

(m) Develop initiatives to sensitize State representatives and other relevant stakeholders, including at the community level, to combat stigma and societal attitudes that blame victims of sexual and gender-based violence;

(n) Disseminate media campaigns aimed at preventing violence against women and girls;

(o) Promote reporting to United Nations human rights mechanisms and other regional and national human rights mechanisms;

Capacity-building

(p) Build the capacity of victims to identify what constitutes sexual and gender-based torture, to know their rights and to know how to access available rehabilitation services;

(q) Train medical doctors, nurses, social workers, police officers and other relevant actors on how to properly handle cases of sexual and gender-based torture and how to connect victims with referral support services;

(r) Identify community members and build their capacity to work with victims and raise awareness within their communities;

Research

(s) Develop knowledge and understanding of the victims' country contexts and cultural narratives around sexual and gender-based violence to guarantee that victims feel respected in the rehabilitation process and to ensure the best outcomes for treatment;

Holistic approach

(t) Employ a multidisciplinary approach that involves medical and psychological services, legal support for access to the justice system and social initiatives to support victims' economic needs and their integration in their communities. A holistic approach should also involve the families and wider communities of victims to support social transformation and change community attitudes toward sexual and gender-based torture;

Victim-centred approach

(u) Actively involve victims in the design and delivery of rehabilitation programmes to help to ensure that services meet victims' needs, including when victims face other or multiple forms of discrimination, violence or torture;

(v) Ensure that rehabilitation services are informed by victims' cultural contexts, which can influence notions of illness and health, as well as of socially acceptable healing therapies and approaches;

Prevent revictimization

(w) Employ confidentiality measures to ensure that victims who access rehabilitation programmes will not be revictimized by their families and communities;

(x) Use community advocacy and education to combat stigma and ensure better protection and support for victims of torture;

Well-being of practitioners

(y) Incorporate staff self-care initiatives for practitioners and service providers into their work to ensure their well-being: these measures are critical in order to guarantee the sustainability of the relevant services and organizations: these measures are critical in order to guarantee the sustainability of the relevant services and organizations.

B. Strategic partnerships

11. On 19 March 2019, Denmark and Georgia publicly launched the establishment of the Group of Friends of the United Nations Voluntary Fund for Victims of Torture, which they co-chair. The founding members of the Group of Friends are: Argentina, Austria, Chile, Czechia, Denmark, Germany, Georgia, Ireland, Italy, Lichtenstein, Mexico, Norway, Peru, Switzerland and the United States of America. According to its terms of reference, the objectives of the Group of Friends are:

(a) To raise the visibility, including the added value and profile, of the United Nations Voluntary Fund for Victims of Torture as an effective grant-making mechanism generating concrete and measurable impacts at the individual and community levels;

(b) To champion the importance of assistance for victims of torture and other cruel, inhuman or degrading treatment or punishment, including opportunities for redress and rehabilitation;

(c) To encourage support for the Fund among States Members of the United Nations and other potential actors to be identified;

(d) To encourage cooperation among all actors engaged in assistance for victims of torture and other cruel, inhuman or degrading treatment or punishment and implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

12. The Group of Friends acts independently from the United Nations Voluntary Fund for Victims of Torture and does not interfere with the Fund's activities and priorities; its cooperation with and support for the Fund is aligned with its core principles, in particular its victim-centred and integral approach. The United Nations High Commissioner for Human Rights participated in the public panel to launch the Group of Friends and stated the importance of State support and the joint effort of the international community to combat torture and support its victims. Morten Jespersen, Ambassador and Permanent Representative of the Permanent Mission of Denmark to the United Nations, and Victor Dolidze, Ambassador and Permanent Representative of the Permanent Mission of Georgia to the United Nations, emphasized the importance of support to the Fund. Vivienne Nathanson, a member of the Board, highlighted the importance of providing holistic services. She indicated that the provision of redress and rehabilitation for torture victims requires that they receive medical, psychological, social and legal support.

13. The Directors of two organizations supported by the United Nations Voluntary Fund for Victims of Torture, Trial International and Legal Action Worldwide participated in the public launch. The organizations highlighted that the Voluntary Fund is a crucial partner in assisting them to obtain judicial decisions guaranteeing redress for victims of international crimes, which is essential for victims in the long term. In 2019, Legal Action Worldwide has received support from the Fund for projects throughout South Asia, the Middle East and the Horn of Africa, including in South Sudan and for Rohingya victims from Myanmar. In 2019, Trial International has received support from the Fund for projects assisting victims from a number of

countries, including the Gambia, Nepal, the Democratic Republic of the Congo and the Syrian Arab Republic.

14. On 5 April 2019, the Board met with members of the Group of Friends for the first time since the Group was launched. State representatives noted the great potential of the Group to leverage the Fund's work and to raise awareness through stories about its positive impact. This was demonstrated by the successful turnout at the Group's launch and the public event to inaugurate the annual workshop. Members acknowledged the need to expand the Group to have greater geographic representation and suggested exploring a regional approach for generating further contributions. The Group agreed to develop a plan of work, including on the possibility of organizing events to mark the International Day in Support of Victims of Torture, held annually on 26 June, and the Fund's upcoming fortieth anniversary in 2021.

C. Working methods of the Fund

15. Over the past five years, the Fund's secretariat has improved the efficiency of its project portfolio management by working towards policy targets adopted by the Board of Trustees in 2014. At its forty-ninth session, the Board noted that the targets had been largely met, clarified criteria for the admissibility of projects not recommended for grants during previous cycles and recommended adopting measures for a simplified application process for ongoing applicants, which should make the application process clearer and less cumbersome.

16. The Board noted that, increasingly, civil society organizations supported by the Fund face deliberate obstructions to the conduct of their work to assist survivors of torture, including restrictions to access to the funds disbursed by the Fund as well as other reprisals related to their collaboration with the United Nations.

III. Cooperation with the Committee against Torture

17. On 7 May 2019, the Chair of the Board of Trustees of the Fund met with representatives of the Committee against Torture within the framework of the Committee's sixty-sixth session. Meetings between the experts of the two mechanisms have now become an annual feature on the agenda of the Committee. The Chair briefed the Committee members on the Fund's activities and expressed appreciation for the growing cooperation between all United Nations anti-torture mechanisms.

IV. United Nations International Day in Support of Victims of Torture

18. On 26 June 2019, a joint statement was issued by all anti-torture mechanisms of the United Nations; the Committee against Torture, the Subcommittee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment and the Board of Trustees of the Fund.²

² Office of the United Nations High Commissioner for Human Rights, "International Day in Support of Victims of Torture: UN human rights experts call for justice and rehabilitation", 25 June 2019, available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24739&LangID=E>.

19. In the joint statement, the anti-torture mechanisms called for justice and rehabilitation for victims of torture, highlighting that the timely identification and documentation of the physical and mental signs of torture is essential for securing the evidence necessary for investigation and prosecution and, ultimately, for obtaining justice in courts of law. The Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), drafted in 1999, is being updated under the auspices of the four United Nations anti-torture mechanisms and leading civil society organizations, with the support of OHCHR. It provides guidance to medical, legal and other professionals who may encounter torture victims. The Istanbul Protocol notably gives practical guidance on the detection of torture, even when scars are not visible, and on the interviewing of survivors suffering trauma in order to prevent further harm.

20. The signatories recalled that the Istanbul Protocol is useful in ensuring the early identification of victims, the documentation of trauma and the assessment of needs so that health and legal professionals, social workers and other service providers can provide prompt and tailored care. Such holistic services can help victims of torture to function again, and even flourish, in society.

21. In a statement also issued on 26 June, the Secretary-General re-emphasized that the prohibition of torture is absolute under all circumstances - and further highlighted the victim-centred approach of the Voluntary Fund, which has helped provide a better understanding of different elements of torture, including sexual and gender-based violence.

22. The United Nations High Commissioner for Human Rights issued a moving video calling attention to forced sterilizations in Peru, which was disseminated via social media. In the video, Maria Elena Carbajal, one of the hundreds of thousands of women in Peru who were subjected to sterilization under a Government-run family planning programme to address poverty, asked for justice, the inclusion of women in social programmes and economic compensation.

23. To demonstrate how giving assistance to victims can help to heal the physical and psychological impact of torture, the Fund produced an updated trailer,³ which features interviews with beneficiary organizations, survivors and members of the Board of Trustees, is available in all official United Nations languages.

24. The Fund also produced a video entitled “The Abuelas Search for Truth and Justice”,⁴ highlighting the four decades of United Nations advocacy by the grandmothers of Plaza de Mayo of Argentina⁵ to find their disappeared grandchildren.

V. Financial situation of the Fund

25. In 2018, the Fund received voluntary contributions totalling \$9.4 million. This is the first time since 2014 and 2015 that the voluntary contributions have exceeded \$9 million.

³ See <https://www.ohchr.org/EN/Issues/Torture/UNVFT/Pages/Index.aspx>.

⁴ Available at: <https://vimeo.com/344124723/e8bda4fc94>.

⁵ <https://abuelas.org.ar/idiomas/english/history.htm>.

Contributions received: 1 January 2018–31 December 2018

(Thousands of United States dollars)

<i>Donor</i>	<i>Amount</i>	<i>Date of receipt</i>
States		
Andorra	12 270	19 March 2018
Andorra	11 792	20 June 2018
Argentina	15 000	17 January 2018
Austria	23 310	19 October 2018
Canada	45 846	17 January 2018
Chile	5 000	27 June 2018
Czechia	8 764	19 December 2018
Denmark	784 042	20 June 2018
France	61 350	1 June 2018
Germany	340 909	3 December 2018
Germany	170 648	7 December 2018
Germany	349 650	14 December 2018
Holy See	2 000	2 February 2018
India	24 982	12 March 2018
Ireland	96 701	7 December 2018
Italy	5 787	29 June 2018
Kuwait	10 000	25 January 2018
Liechtenstein	25 381	13 June 2018
Luxembourg	17 483	22 November 2018
Mexico	10 000	4 May 2018
Netherlands	113 636	26 November 2018
Norway	352 913	23 September 2018
Pakistan	2 982	3 July 2018
Portugal	5 688	28 December 2018
Portugal	23 895	23 January 2018
Qatar	28 347	5 October 2018
Saudi Arabia	70 000	27 April 2018
Switzerland	200 803	11 December 2018
United Kingdom of Great Britain and Northern Ireland	34 722	1 May 2018
United States of America	6 550 000	16 October 2018
Individual donors	663	
Total	9 404 564	

26. At the forty-eighth session, the Board recommended that \$7,231,000 be promptly awarded for a total of 160 projects, to be implemented in 2019 in 77 countries, with an average grant size of \$45,200. Of those projects, 155 are for the delivery of direct assistance services to victims of torture and five are for strengthening the capacity of the beneficiary organizations to deliver such services (including training and capacity-building projects). The Board also recommended setting aside \$823,358 to respond to requests for emergency assistance, of which \$130,000 has been awarded for two projects in two countries.

27. By 1 March 2019, the deadline for submitting applications for project grants for 2019, the Fund had received 258 applications, requesting a record high in assistance of \$13.6 million. After the applications had been pre-screened by the secretariat of the Fund, 232 of them, amounting to \$13,020,817 in requests for direct assistance to victims, were declared admissible and will be examined by the Board at its fiftieth session, which will be held in Geneva from 7 to 11 October 2019.

28. The Board of Trustees of the Fund expects to reach the target of \$9 million of income in 2019.

VI. How to make a contribution to the Fund

29. Governments, non-governmental organizations and other private or public entities can contribute to the Fund. For more information about the Fund and how to contribute, donors are requested to contact:

Secretariat of the United Nations Voluntary Fund for Victims of Torture
Office of the United Nations High Commissioner for Human Rights
United Nations, CH 1211 Geneva 10, Switzerland
E-mail: unvftv@ohchr.org; phone: +41 22 917 9624; fax: +41 22 917 9017.

30. Donations can also be made online at <https://donatenow.ohchr.org/torture.aspx>. Information on the Fund can be found at www.ohchr.org/torturefund.

VII. Conclusions and recommendations

31. **The United Nations Voluntary Fund for Victims of Torture continues to play an indispensable supporting role for scores of organizations providing specialized and unique assistance to victims of torture.**

32. **The interest generated by the yearly thematic workshops, convened by the Fund, is proof of the need for knowledge-sharing in the field of rehabilitation of victims of torture. The 2019 thematic workshop was particularly effective in identifying the obligation of States to address the needs of victims of sexual and gender-based torture. The international human rights framework has evolved to recognize the importance of a gender perspective in assessing torture and other forms of ill-treatment and now recognizes certain cases of sexual and gender-based violence as a violation of the prohibition against torture. However, despite some advances in this area, including the development of laws recognizing the right to receive medical and psychosocial assistance, as well as legal counsel, gaps in implementation and the lack of protection for victims of sexual torture continue to hamper victims' rights.**

33. **The Secretary-General urges Member States and other stakeholders to support the Fund, noting that contributions to it are a concrete manifestation of the commitment of States to the elimination of torture, in line with the Convention against Torture, in particular article 14, on the right to redress, including compensation and rehabilitation.**

34. **It is essential that the Fund enlarge its donor base and that it receive a minimum of \$12 million (against the 2018 annual income of \$9.4 million) on a yearly basis to enable it to respond more adequately to the high demands for assistance received.**

Annex

List of participants of the expert workshop on the theme “Surviving torture and fighting stigma: the road to recovery for victims of sexual and gender-based torture”, held on 3 and 4 April 2019

Board of Trustees of the United Nations Voluntary Fund for the Victims of Torture

Mikolaj Pietrzak (Chair)

Gaby Oré Aguilar

Lawrence Mute

Sara Hossain

Vivienne Nathanson

Invited experts

Anette Carnemalm, Swedish Red Cross (Sweden)

John O’Donoghue, Spirasi (Ireland)

Ahmed Mohammed Amin Ahmed, Wchan Organization for Victims of Human Rights Violations (Iraq)

Uma Thapa, Women for Human Rights (Nepal)

Sonali Gupta, Center for Victims of Torture (United States of America)

Augustina Rahmanovic, Association Vive Žene (Bosnia and Herzegovina)

Dinali Fernando, Libertas Center for Human Rights (United States for America)

Nhora Lucia Alvarez Borrás, Fundación Circulo de Estudios Culturales y Políticos (Colombia)

Yovana Pérez Clara, Centro de Atención Psicosocial (Peru)

Daniela Aguirra Luna, Centro de Derechos Humanos Miguel Agustín Pro Juárez (Mexico)

Celeste J. Matross, Centre for the Study of Violence and Reconciliation (South Africa)

Alexandra Roth, Hotline for Refugees and Migrants (Israel)

Indria Fernida, Asia Justice and Rights (Indonesia)

David Onen Ongwech, Refugee Law Project (Uganda)

Aimé Moninga, Men of Hope Refugee Association Uganda, Refugee Law Project (Uganda)

Maria Elena Carbajal Cepeda, Centro de Atención Psicosocial (Peru)

Siris del Carmen Renteria Rodriguez, Fundación Circulo de Estudios Culturales y Políticos (Colombia)

Aneta Genova Mircheva, Validity Foundation (Bulgaria)

Stella Ndirangu, Legal Action Worldwide (Kenya)

Other participants

Ana Racu, Committee against Torture

Genoveva Tirsheva, Committee on the Elimination of Discrimination against Women