

IOI Workshop for NPMs “Strengthening the follow-up to NPM recommendations”

7 - 9 November 2018 / Copenhagen, Denmark

PROCESS DESIGN & FACILITATION

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PRESENTATIONS BY

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TRAINING PURPOSE & AGENDA

The 4th IOI Workshop for NPMs took place in Copenhagen from 7 – 9 November 2018 and was generously hosted by the Office of the [Danish Parliamentary Ombudsman](#).

The training was facilitated by the [Association for the Prevention of Torture \(APT\)](#) and it brought 35 participants from 23 different countries together to discuss the topic of an effective follow-up process to NPM recommendations.

During the Copenhagen workshop, participants exchanged experiences on how to maximize the impact through the refinement and improvement of [recommendations](#), the establishment of an effective follow-up methodology and possibilities to track the [implementation of NPM recommendations](#) in a systematic and efficient way.

In different interactive working sessions and group activities, participants looked into the different elements of the process of achieving change. The focus of following up on NPM recommendations and their implementation was set within the broader picture of how NPMs make change and what this “change perspective” means in practice.

Over two and a half days, participants were invited to share their key achievements and biggest challenges in relation to implementation of recommendations. They discussed how to develop and maintain systems for an effective follow-up to NPM recommendations and the tracking of their implementation.

Experts from the UN Subcommittee on Prevention of Torture (SPT), the UN Committee against Torture (CAT) and the Austrian Ludwig Boltzmann Institute for Human Rights accompanied the 3-days-workshop and contributed their expertise and input in the plenary discussions as well as during the different group sessions.

Dr. Richard Carver, Senior Lecturer in Human Rights and Governance at Oxford Brookes University, introduced the main findings of a study carried out to verify if torture prevention does work.

Dr. Arman Tatoyan, Public Defender of Armenia and former member of the European Committee for the Prevention of Torture (CPT), elaborated on the working methods, challenges and experiences of the Armenian NPM after 10 years of work.

DAY 1 | WEDNESDAY, 7 November 2018

TIME	TOPIC
09:00 – 09:45	Session 1: Welcome Facilitator: IOI and the Danish Ombudsman Objectives: <ul style="list-style-type: none"> - To introduce the participants, facilitators and experts. - To introduce the background, objectives, and agenda of the workshop
09:45 – 10:00	<i>Coffee break</i>
10:00 – 12:00	Session 2: Introducing NPM strategy and the change perspective Facilitator: APT and BIM Presenter: Dr. Arman Tatoyan, Public Defender of Armenia and former member of CPT Objectives: <ul style="list-style-type: none"> - To reflect on change after 10 years of NPM work - To understand the place of recommendations within the overall process of NPM work and how they contribute to change. - To present the BIM comparative study.
12:00 – 13:00	<i>Lunch</i>
13:00 – 15:00	Session 3: The change perspective in practice Facilitator: APT Objectives: <ul style="list-style-type: none"> - To look at key achievements of NPMs and understand what worked and what didn't work, as well as the reasons why. - To understand how the different elements of the process each contribute to the success of NPM work.
15:00 – 15:30	<i>Coffee break</i>
15:30 – 17:00	Session 4: Elements of the process 1: visits. Facilitator: APT Objectives: <ul style="list-style-type: none"> - To understand how planning, preparation and team composition for visits contribute to the process of achieving change.

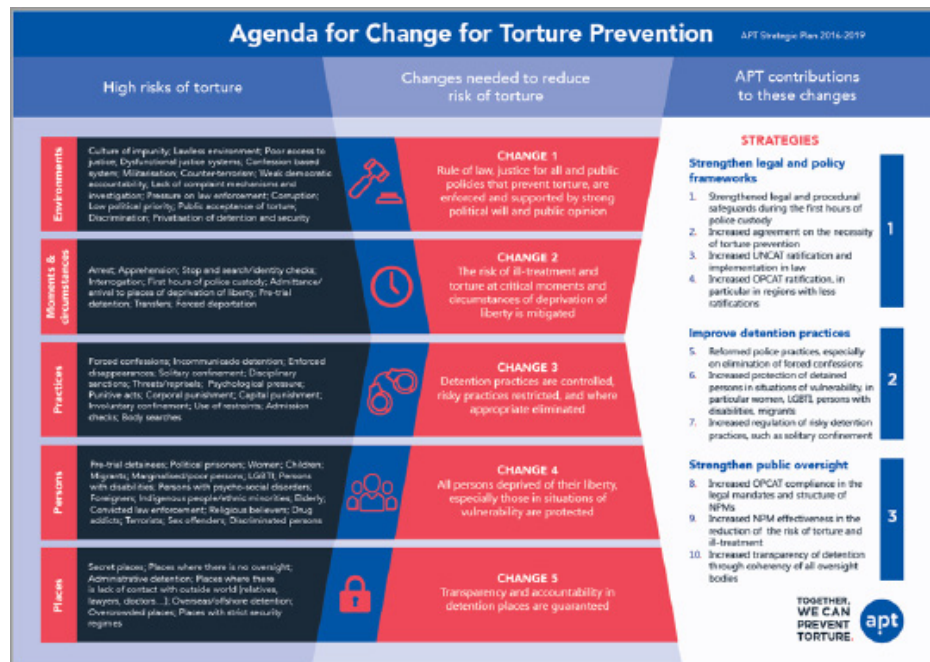
DAY 3 | FRIDAY, 9 November 2018

TIME	TOPIC
09:00 – 10:00	Session 9: Elements of the process 5: communication and cooperation with international bodies (SPT) Facilitator: SPT Objectives: <ul style="list-style-type: none"> - To understand how the SPT can be of use to NPMs in strengthening their recommendations and follow up.
10:00 – 10:15	<i>Coffee break</i>
10:15 – 11:15	Session 10: Elements of the process 5: communication and cooperation with international bodies (CAT) Facilitator: CAT and Danish Ombudsman Objectives: <ul style="list-style-type: none"> - To understand how the CAT can help NPMs in strengthening the follow up to recommendations
11:15 – 11:30	<i>Coffee break</i>
11:30 – 12:30	Session 11: Presentation of international study on prevention of torture – Does Torture Prevention Work? Facilitator: APT and Danish Ombudsman Presenter: Dr. Richard Carver, Oxford Brookes University Objectives: <ul style="list-style-type: none"> - To introduce to the participants the main findings of the study, including the conclusion that prevention measures do work, although some are much more effective than others.
12:30 – 13:30	<i>Lunch</i>
13:30 – 14:30	Session 12: Closing and wrap up Facilitator: IOI, APT, Danish Ombudsman Objectives: <ul style="list-style-type: none"> - To bring the different elements together and understand how they contribute to achieving change in places of deprivation of liberty - To wrap up and evaluate the workshop

DAY 2 | THURSDAY, 8 November 2018

TIME	TOPIC
09:00 – 10:30	Session 5: Elements of the process 2: Drafting effective recommendations and reports. Facilitator: APT Objectives: <ul style="list-style-type: none"> - To understand how recommendations and reports contribute to change - To understand what goes into a good recommendation and report and how to measure their impact
10:30 – 10:45	<i>Coffee break</i>
10:45 – 12:15	Session 6: Tools for tracking progress Facilitator: Danish Ombudsman Objectives: <ul style="list-style-type: none"> - To understand the different tools that NPMs use to track their recommendations and how they contribute to change
12:15 – 14:15	Lunch and Meeting at the offices of the Danish Prison and Probation Service <ul style="list-style-type: none"> - Discussion of how they see NPM visits and the role of constructive dialogue in achieving change
14:15 – 16:00	Session 7: Elements of the process 3: Dialogue with authorities Facilitator: APT Objectives: <ul style="list-style-type: none"> - To understand the importance of dialogue to a preventive approach and the different ways in which NPMs can use it to achieve change
16:00 – 16:30	<i>Coffee break</i>
16:30 – 17:30	Session 8: Elements of the process 4: communication and cooperation with national actors Facilitator: APT Objectives: <ul style="list-style-type: none"> - To understand the importance of communication and cooperation with national actors and the ways NPMs can interact with different actors in order to achieve change





How do we build a pathway of change?

- By asking key questions such as:
 - What change do we want to see happen?
 - What needs to be done in order for this to happen?
 - What is the contribution of the NPM to achieving this change?
- By devising concrete actions:
 - Who should do what?
 - What resources are needed?
 - What resources does the NPM have already?
 - What knowledge, skills and attitudes does the team need?

Introducing the NPM strategy and the change perspective to understand the way NPM recommendations fit into the overall NPM work and process.

What is the theory of change?

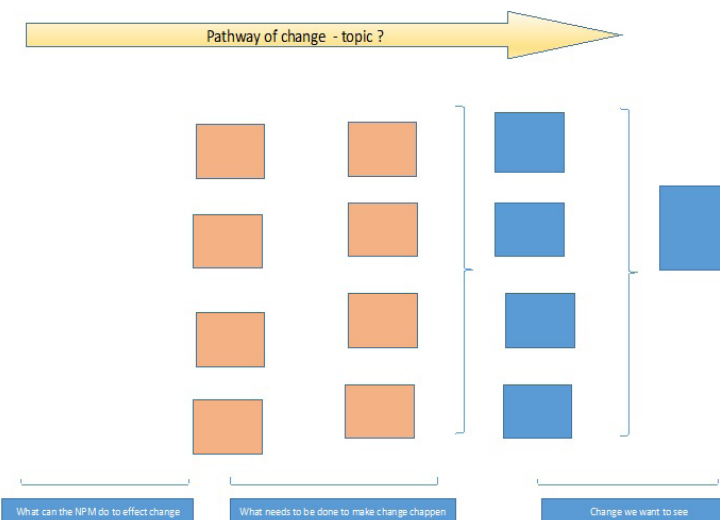
- Conceptual model to show us how we get from „here“ to „there“

Why do we need it?

- To show that our work is effective.
- To make a link between what we are doing and what we hope to achieve.

How do we achieve change?

- Visits, reports, recommendations and dialogue.
- Understanding the power and interest of NPM stakeholders.





Austrian Ludwig Boltzmann Institute for Human Rights (BIM)

Presentation of a comparative study (May 2015) on:

„Enhancing impact of National Preventive Mechanisms- Strengthening the follow-up on NPM recommendations: Strategic development, current practices and the way forward“

NPMs generate recommendations and one of the main challenges is to ensure, that these recommendations are implemented and lead to real changes in the practice of deprivation of liberty.

The Ludwig Boltzmann Institute of Human Rights in cooperation with the Human Rights Implementation Centre (HRIC) at the University of Bristol has conducted a large-scale research project, analysing the follow-up procedures of all **NPMs in the EU**.

The research has revealed numerous good practices, yet also a lack of a strategic approach as well as weak coordination and cooperation with international mechanisms and institutions, notably the EU.

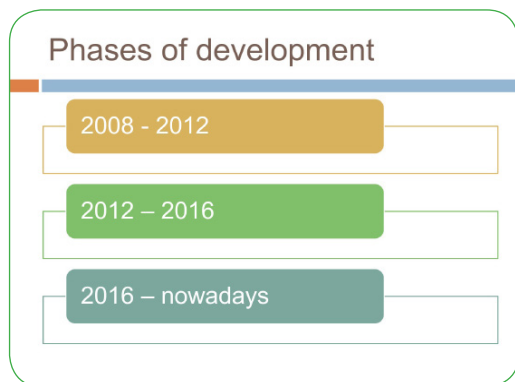
Tools for an effective follow-up on recommendations:

- Follow-up visits
 - main tool to track implementation;
 - specific follow-up visits are powerful tool to mitigate risks or look into detected irregularities;
 - if visits/recommendations do not lead to change, risk of „monitoring fatigue“ grows on both ends;
 - implementation gap: disempowering and frustrating if not much happens after a visit;
 - change of methodology to elaborate why recommendations have not been implemented;
- Dialogue and communication with competent authorities
- Dialogue and communication with other actors (parliament, judiciary, civil society etc.)
- Publicity



Dr. Arman Tatoyan (former CPT member / Human Rights Defender of Armenia):

Presentation on the development and challenges of the NPM of the Republic of Armenia



Phase 1 (2008-2012)

- Give mandate to NGOs or Ombudsman? Eventually granted to the Ombudsman but with no specific powers and no state funding.
- Establishment of an Expert Council (2 lawyers, 2 psychiatrists, 1 sociologist).
- No separation of monitoring work and complaints handling.
- Authorities no understanding of NPM role and mandate.
- Access only to „formal“ places of detention.

Phase 2 (2012-2016)

- NPM unit established: “Unit for prevention of violence”.
- Still no separation between monitoring and complaint work.
- Still no funding or salary remuneration or compensation.
- Independent visits by Council members on behalf of NPM.
- Independent recommendations to the authorities.
- Independent release of information.
- Independent cooperation with donors.

Phase 3 (2016 - today)

- Constitutional law adopted; NPM mandate granted to Human Rights Defender.
- Structural changes: NPM department and group of NGO experts fulfill the mandate.
- Advisory Council on Torture Prevention adjunct to Ombudsman’s main functions.
- List and criteria for places under the NPM mandate established by law.
- Monitoring and complaint handling activities now clearly separated.
- Budget is part of state budget; salary remuneration for NPM experts are provided.
- Immunity of NPM staff and experts.



THE CHANGE PERSPECTIVE | GROUP EXERCISES

Group exercise to look into the key achievements and challenges of NPMs in order to understand how different elements of the process contributed to success or failure.

Participants filled in „pathway worksheets“ starting with either a change achieved or a change not achieved from their own working experience.

Each worksheet was then discussed with colleagues in small groups; as a group one example for a „change achieved“ and for a „change not achieved“ was then presented in the plenary to discuss:

- What were the contributing elements to achieve change (visits, reporting, recommendations, dialogue and cooperation with authorities and other actors etc.)?
- What could have been the reasons for non-implementation?
- What could have been done differently to achieve change?



apt Instructions for groups

- Each group should begin by choosing a rapporteur.
- Each participant should individually fill in the worksheet based on their own experience. Make sure to fill it in once for a change “achieved” and once for a change “not achieved”. Try to think about all the different contributing factors.
- Once each person has filled them in, groups should discuss their responses and collectively choose one “change achieved” and one “change not achieved” that can be presented in plenary by the group rapporteur.
- You have 45 minutes for this exercise.

Session 3: The change perspective in practice

Worksheet 1: Pathways to change

In this table, start at the right-hand end and write down a change that you contributed to in detention. This could be a change in law, in practice, in conditions or something else. Then, fill in the rest of the table, considering the ways in which each element contributed to the success or to the failure. Fill in one for each from your own experience, following the example from the case study.

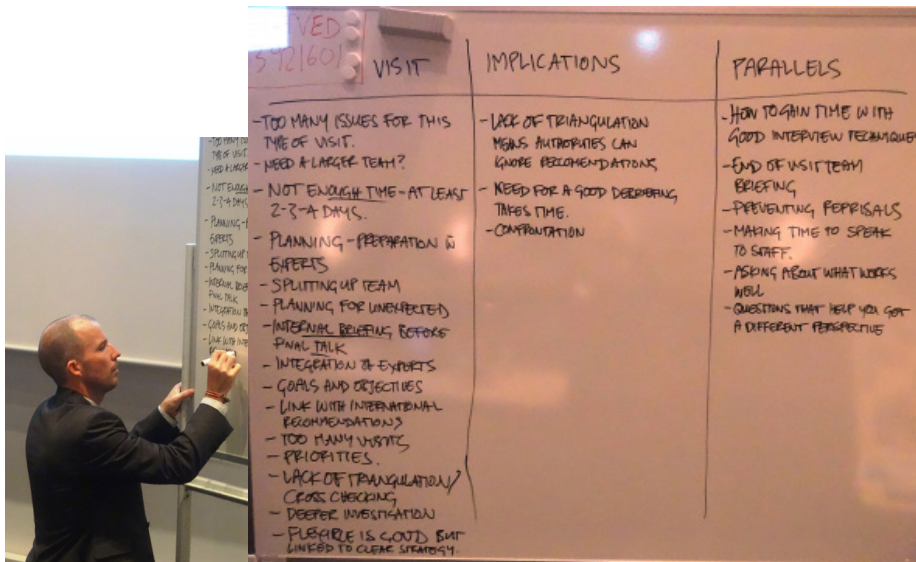
Example from the case study

Visit	Report and recommendation	Tracking of follow-up to recommendations	Dialogue with the authorities	Cooperation with national partners	Cooperation with international partners	Other	What is the change you wanted to achieve?

Group exercise to understand how planning, preparation and team composition for visits can contribute to the process of achieving change.

Based on a case study document describing a visit, participants were divided into smaller working groups and asked to:

- read the case study and the provided background information;
- discuss how the different elements of the visit could lead to success and/or failure;
- fill in a worksheet table with the issues identified.



Coallation of key elements:

Visit (*What were the detected problems*):

- Too many issues for this type of visit;
- need of a larger team;
- not enough time (at least 2-4 days),
- planning and preparation with experts;
- splitting up the team,
- planning for the unexpected,
- internal briefing before final talk;
- integration of experts,
- goals & objectives;
- link with international recommendations,
- too many visits;
- priorities,
- lack of triangulation/cross checking;
- deeper investigation,
- flexibility is good but should be linked to clear strategy.

Implications (*How do they link to success/failure*):

- Lack of triangulation means that authorities can ignore recommendations;
- need for good debriefing takes time;
- confrontation.

Parallels (*How does this relate to your own office*):

- How to gain time with good interviewing techniques;
- end of visit = team briefing;
- preventing reprisals;
- making time to speak to staff;
- asking about what works well;
- questions that help you get a different perspective.



Double-Smart Model

- **Specific**
- **Measurable**
- **Achievable**
- **Results-Oriented**
- **Time-bound**
- **Solution-suggestive**
- **Mindful of prioritisation**
- **Argued**
- **Real-cause responsive**
- **Targeted**

Follow-up on recommendations:

- Process: where are we in the implementation of the recommendation
- Systematise: prioritise, assess quality and adjustments
- Evaluation of implementation:
 - different strategies depending on recommendations and target
 - communication tool to raise awareness on NPM's effectiveness

**What goes into good recommendations and reports?
How does this contribute to effective change?**

Visit Reports:

- general information about the visit, main issues and recommendations
- addressed to the persons in charge of the place visited or other actors that have an important role to play in achieving the desired change
- reflect all themes discussed during the visit
- public or confidential?

Thematic Reports:

- address priority problems (e.g. means of restraint; detention of foreigners; prison overcrowding; women in prison etc.)
- in-depth analysis of structural causes
- recommendations addressed to range of actors
- usually public (of interest to a wider audience and tool to influence public debate)

Annual Reports:

- inform about activities and functioning of the NPM
- make the NPM visible and accountable
- identify and analyse key issues on torture prevention
- propose recommendations
- measure progress (or lack of progress)
- establish on-going dialogue with relevant authorities




Types of Indicators:

- Structure
(e.g. *is there a law that says everybody detained has a right to see a lawyer within 24 hours after being detained*)
- Process
(e.g. *are police registers used in a way that shows whether or not arrested people are able to see a doctor*)
- Outcome
(e.g. *did the change that you wanted to see, really happen*)
- Progress
(*issues you want to change over a long period of time and indicators that show this is happening*)


Good indicators:

- are time-limited and geographically delimited (specify when/where thing will occur/exist);
- count something that we can see; data and info must be accessible (census, surveys etc.);
- relate to something you want to measure;
- can be measured over a consistent period of time;
- inform your practice (i.e. should be relevant to the activities you intend to conduct).



An indicator:

- Counts something
 - Somewhere
 - Over a period of time
- That is useful for your purposes.



Instructions for groups

- Each group should read the case study then edit the recommendations to improve them.
- As a second step, groups should then think about the kinds of indicators that might help them to understand whether the recommendation has been implemented or not.
- Afterwards, we will discuss what you've found in plenary.
- You have around 30 minutes for this exercise.

Group exercise looking into a sample reports and recommendations

- Overcrowding linked to broader, structural issues.
- Who should the recommendation go to? National level most appropriate.
- Recommendation to both the legislature and also to judges.
- Need to look at the parole board; this can be the location of bottlenecks as well.
- Use of regional or international standards to help make your case.
- More space may also be an issue and/or needed?
- Need for more information to know the right target for the recommendation.
- Request to both institution and ministry to help NPM understand the root of the problem.
- What alternatives currently exist and how are they being used?
- Short-term and long-term proposals:
 - Short-term: providing more outside time.
 - Long-term: address structural problems (legal basis)
- Time limit for the recommendation (e.g. 6 months).
- Put burden back on authorities to come up with solutions and alternatives.
- Indicator: occupancy percentage (outcome) but also need for structure and process indicators
- From HR point of view numbers should rather be reduced than capacity increased.

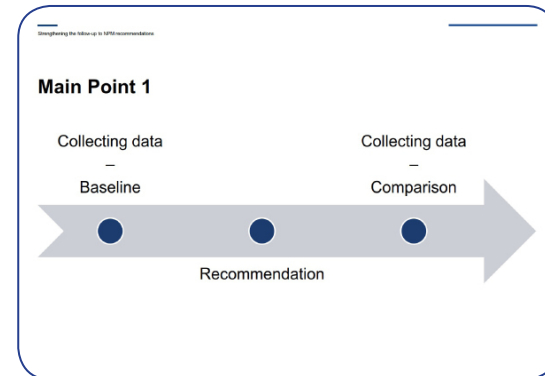
Presentation of different tools NPMs use to track the implementation of recommendations made

NPM Estonia:

- Best option to track progress of implementations it to plan follow-up visits.
- Short thematic visits, if necessary more often (question of resources).

Other Options:

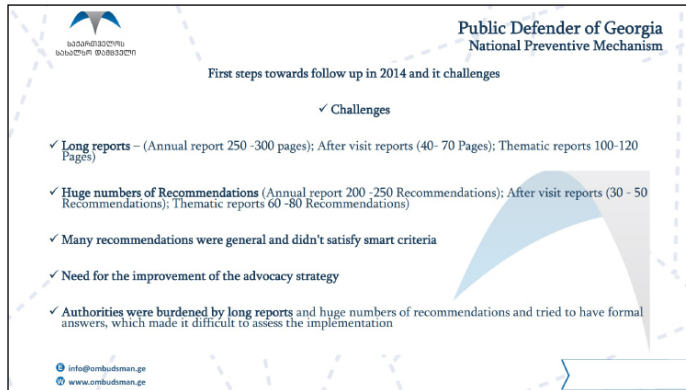
- Cooperation with supervisory body: ask what has been implemented and in what way (in most cases reason for non-implementation is a lack of money/resources).
- Interview former “clients” if they perceived any changes while being institutionalized.
- Complaints to the Ombudsman can also be a source of information on the status quo and to verify if changes happened.
- Media monitoring: communications officer looks at media coverage (incl. social media) on certain topics (consider with caution; not always objective presentation of issues).



NPM Denmark:

- NPM must begin by collecting data to establish a baseline. A description of the situation before the recommendation. After the recommendation, collect data again to compare status quo with baseline. There is no fixed formula as to how the NPM should collect, manage and maintain the data or follow up; e.g. the type of descriptive information (indicator) varies depending on whether NPM assesses physical conditions of a prison or level of violence amongst inmates.
- NPM had a very “traditional” system of reporting, which was not efficient and not the best use of resources.
- Follow-up visits (almost always announced).
- Follow-up visits not the general rule; time consuming and less necessary if authorities can be trusted to act on promises.
- General standing of the Ombudsman in the country is essential for the NPM’s success.
- Other way of tracking progress: looking at complaints brought to the Ombudsman’s attention and requesting statistical data (e.g. how much physical activity do prisoners have).
- Tracking progress depends on type of recommendation: general / specific / own initiative
- Dialogue: Regular meetings e.g. with the Prison and Probation Service to discuss issues.

Presentation of different tools NPMs use to track the implementation of recommendations made



NPM Georgia:

- In the beginning:
Annual reports too long; recommendations came in huge numbers, were too general and did not satisfy SMART criteria.
- Now:
Annual report not more than 80 pages; recommendations according to SMART principle; visit reports max. of 20 pages; established special position in the office responsible for follow-up; different levels of dialogue
- Systematization of follow-up process:
Special tool (excel file) to track and evaluate the implementation status of NPM recommendations.
- Difficult to track the large number of recommendations; collaboration with APT to improve follow-up system:
=> questionnaire to stakeholders to assess existing system;
=> guidelines on drafting reports and recommendations;
=> Excel tool to track and evaluate implementation progress.

NPM Austria:

- approx. 500 visits per year;
- follow-up on recommendations through institutionalized, constructive dialogue with competent authorities and other actors;
- regular written and oral communication with competent Federal Ministries;
- participation in working groups;
- training for staff of correctional institutions;
- effective data management system;
- recommendations are registered in an internal database, to track progress and to assist follow-up process;
- internal database organized according to the facilities, as well as to thematic topics (e.g. living conditions, complaint management, health care etc.).

Geschäftszeit	JA	Ort	Themen	Erhebungsgegenstände/Erhebungsmethoden	Erhebungsergebnis	Sachliche Art	Erhebungstermin
VA-BD-19473-DV/0311, VA-BD-	JA Gießendorf	D	014-Personal	Personal auf der Substation sollte eine Dienstfahrscheinigung erhalten und jährliche Rekrutierungskurse, die auf dem Status der Jahre der Klassen-Apprentices Verfahren: einige sind nicht mehr, die B in Bezug sind -> technische Verantwortliche für Anwesenheit, Konzept für andere: Zitiert aus dem	Ergebnis unvollständig	JA	01.01.2014
BD-J2004-B/12015	JA Wien	D	01 Lebens- und Aufenthaltsbedingungen	Übertragung und sonstige Maßnahmen sind zu vermeiden	Ergebnis	JA	02.01.2014
BD-J2004-B/12015	JA Wien	D	07-Einzelne Arbeits- und Beschäftigungsangelegenheiten	Die Erhebung von Strategien zur Anhebung der Beschäftigungsangelegenheiten	Ergebnis	JA	03.01.2014
BD-J2004-B/12015	JA Wien	D	02-Formal nach Außen	Die Ausstellung der Besuchsbescheinigung auch auf Sonntage ist notwendig	Ergebnis	JA	04.01.2014
BD-J2007-B/12014	JA Salzburg	D	03-Konkrete Auswertung	Wie werden diese Berichte in den verschiedenen Einrichtungen	Ergebnis unvollständig	JA	05.01.2014
BD-J2003-B/12015	JA Graz-Karlau	D	03-Konkrete Auswertung	Wie werden diese Berichte in den verschiedenen Einrichtungen	Ergebnis	JA	06.01.2014
BD-J2000-B/12010	JA Salzburg	D	02-Beobachtung eigenem	Besucherzone aufwändig abgelehnt, wegen starker Überwachung, nicht notwendig, Kontaktbeschränkung für eine lange Kommunikation. An den sternen Kontaktbeschränkung mit Verwandten und Freunden entgegen.	Ergebnis	JA	07.01.2014
BD-J2000-B/12015	JA Salzburg	D	02-Beobachtung eigenem	Keine Möglichkeit für Langzeitbesucher	Ergebnis	JA	08.01.2014
BD-J2000-B/12015	JA Salzburg	D	03-Beobachtung eigenem	Keine Möglichkeit für Langzeitbesucher	Ergebnis	JA	09.01.2014
BD-J2000-B/12015	JA Salzburg	D	03-Beobachtung eigenem	Keine Möglichkeit für Langzeitbesucher	Ergebnis	JA	10.01.2014
VA-BD-1936-B/12014	JA Wien Josefsbad	D	01 Lebens- und Aufenthaltsbedingungen	Wartungsgesamt vorübergehend befristeter Lagerstände	Ergebnis	Ergebnis	11.01.2014
VA-BD-746-B/12014	JA Wien Mitternberg	D	04-Lebens- und Aufenthaltsbedingungen	Wartungsgesamt vorübergehend befristeter Lagerstände	Ergebnis	Ergebnis	12.01.2014
VA-BD-749-B/12014	JA Graz	D	03-Beobachtung eigenem	Wartungsgesamt vorübergehend befristeter Lagerstände	Ergebnis	Ergebnis	13.01.2014
VA-BD-777-B/12014	JA Graz	D	02-Formal nach Außen	Wartungsgesamt vorübergehend befristeter Lagerstände	Ergebnis	Ergebnis	14.01.2014



Lunch meeting at the Offices of the Prison and Probation Services:

Opportunity for participants to hear the perspective from detaining authorities:

- How do they perceive the work of the Danish NPM?
- What do they think about NPM recommendations concerning their field of work?
- How does this dialogue raise awareness on both sides and strengthen cooperation?

Role play to understand the importance of dialogue and how NPMs can achieve change:



Role play based on a case study document:

Group I = NPM team
(i.e. head of NPM, NPM member, psychiatrist)

Group II = Authority representatives
(i.e. head of prison, Ministry of the Interior, Ministry of Health)

Assignment = Dialogue with authorities
NPM team presents main findings, concerns and recommendations; dialogue with authorities to ensure implementation and change.



Role play analysis / plenary debriefing:

- Seek to stay cooperative.
- Ask for more details/data/records to assess the situation (e.g. when/why was solitary confinement considered the only solution by the prison management?).
- Does NPM only identify problems, or is it also within the NPM's responsibility to offer solutions/alternatives?
- If NPM is not able to offer solution, authority may consider recommendation implausible and not take it seriously.
- Conclude meeting by asking for a specific action plan to implement recommendations.
- Insist on follow-up in writing to make sure dialogue is not only an "oral contract".
- Refer to reputational risks in case of non-compliance of recommendations.
- Consider including the dialogue with authorities in the report to document communication, answers and lack of response as well.
- Option of requesting input from civil society before dialogue with authorities to have representation of service users as well.

apt Why communicate?

- NPM visibility
- Increase trust and legitimacy → increase impact
- Transparency and accountability
- Raise awareness of the situation in detention
- Influence public debates

- integral part of NPM work; need to set up communication strategy (what and when to communicate);
- important to find balance between dialogue and communication and to be aware of the risks of communication (e.g. harming relationship with authorities);
- communication to increase visibility, foster trust, reach impact, build legitimacy and influence public debate;
- stakeholder analysis to identify who to talk to and in which way (staff, institution management, authorities, public at large);
- careful use of the media; only when appropriate and when it serves the NPM's purpose;

apt Examples

- Press conferences when publishing annual report
- Regular meetings with selected journalists
- Press releases following visits to places of detention
- Interviews (TV, radio, press)
- Articles in specialised journals
- Website
- Facebook/Twitter
- E-newsletters
- Logo/posters/brochures



Discuss and understand how the SPT can be of use to NPMs in strengthening their recommendations and follow-up on implementation.

Presentation by Mari Amos (SPT):

The **UN Subcommittee on Prevention of Torture (SPT)** is a United Nations mechanism directed at the prevention of torture and other forms of ill-treatment. The Protocol gives the SPT the right to visit all places of detention in States Parties to the Protocol.

Annual Reports:

- SPT provides feedback and remarks for improvement;
- Reports help SPT to detect main issues and develop strategy for state party review.

Advice / Guidance:

- Address specific questions or concrete problems of NPM work.
- SPT discusses these issues and offers official opinion which will be published on the website for public view (e.g. traditional vs. less traditional places of detention / confidentiality issue / body searches / cross border monitoring / dignified dying in social care homes etc.)

SPT Country Visits:

- Prior to country visits, cooperation with NPM to see which issues need to be pushed forward.
- NPMs often consider this some sort of interrogation when really, the SPT wants to learn and see what are the main concerns of the NPM and how they can offer support.
- Long-pending NPM recommendations can be addressed and SPT can follow-up with the state party and other stakeholders on the status of implementation of these recommendations.
- Publication of SPT visit reports (one for the state party, one for NPM after each visit).
- NPMs should request states to publish SPT reports.
- NPMs should follow-up on recommendations SPT made after visits.

„Spain had an SPT country visit in 2017. SPT recommended that it would be important to clearly separate the Ombudsman from the NPM role. We now try to make the NPM more visible.“

„SPT was very helpful when the Serbian NPM was established and started its work. You gave helpful input and comments on how to conduct visits. We have not had a SPT country visit yet but hope to have one soon. Serbia had a CPT country visits and this was a very positive experience. SPT also strongly supported the establishment of the Southeast European (SEE) NPM Network and SPT representatives are invited to join SEE NPM network meetings on a regular basis. “

„So far there has been no SPT country visits to Georgia; but we had SPT support when drafting our NPM guidelines, which formed the basis for the NPM’s future development and strengthened the institution. Also Mari Amos has sent letters to stakeholders on the issue of confidentiality when authorities did not want to provide all the necessary information. This was an important move to strengthen the visibility of the NPM in the country. When the CPT had its country visit, they publish their report, which was very effective. Maybe SPT could step in and consider a similar approach.“

„We were glad that the SPT visited Poland this year. It was a good opportunity to see how the SPT goes along with its visits and to share the work and experience of the Polish NPM. We are looking forward to receiving the report from this SPT visit.“

„In Austria we have made the experience that SPT reads the NPM’s annual reports very carefully and with great interest. We always appreciate comments on our reports and perceive them as very helpful.“

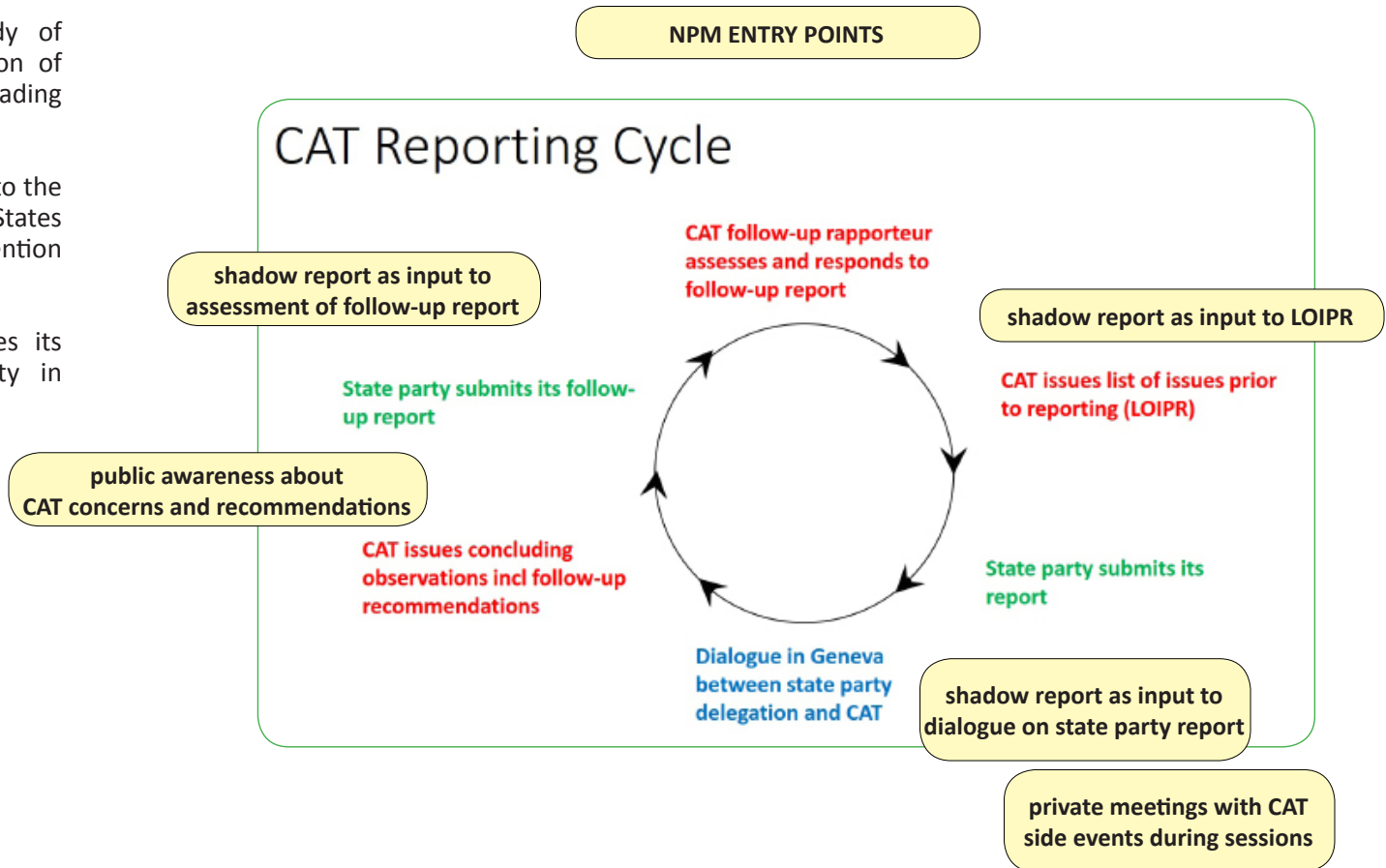
Discuss and understand how the UN CAT can be of use to NPMs in strengthening their recommendations and follow-up on implementation.

Presentation by Dr. Jens Modvig (UN CAT):

The **Committee Against Torture (CAT)** is the body of 10 independent experts that monitors implementation of the **Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** by its State parties.

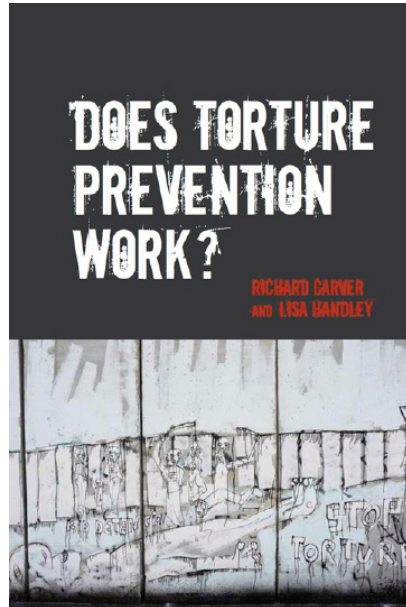
All States parties are obliged to submit **regular reports** to the Committee on how the rights are being implemented. States must report initially one year after acceding to the Convention and then every four years.

The Committee examines each report and addresses its concerns and recommendations to the State party in **concluding observations**.



BEST PRACTICE: [Norwegian NPM's submission to the UN CAT - Information regarding the Norwegian Government's implementation of the Convention](#)

Presentation by Dr. Richard Carver (Oxford Brooks University)



“Does torture prevention work” by Richard Carver and Lisa Handley
insight from a global research study commissioned by the APT on 30 years of torture prevention

- 4-year multi-country research project (16 different countries);
- analysis of more than 60 torture prevention measures over a period of 30 years (1985 - 2014);
- combination of quantitative and qualitative methods to examine measures adopted by states to identify which ones have had particular effect and which ones not;

Global Conclusion:

- YES, torture prevention works!
- some measures are more effective than others to reduce the risk of torture;
- among the four clusters identified (detention / prosecution/ monitoring / complaints), detention safeguards in practice have the highest torture prevention impact;
- significant gap between law and practice (especially with respect to detention safeguards);
- political environment and willingness are key to produce change, but not sufficient;
- training has a positive impact in all areas and should therefore be targeted at improving professional skills;
- monitoring bodies also have direct effect in reducing torture; ability of monitors to conduct unannounced visits and have private interviews with detainees are key factors for effectiveness;
- complaints mechanisms do not have a measurable impact on torture prevention, but are important to address individual cases.

„The most important preventive mechanisms are those that ensure that individuals are held only in lawful, documented places of detention; that their families or friends are promptly notified of their arrest; that they have prompt access to a lawyer, as well as to medical examination by an independent doctor; and that they are brought promptly before a judge.“ (p.2)

CONCLUSION - WHAT WAS THE MOST USEFUL PART OF THE WORKSHOP?

„The workshop was very interactive, the role plays were very useful and the information provided was important.“



„The interactive form of this workshop and the different, practical exercises were really stimulating.“

„This workshop was very helpful and helped us to create a better understanding.“



„Bringing all of us together was a great experience of sharing knowledge and learning from each other.“

„I got new ideas for following-up on recommendations, instead of the usual visits.“



„It is very useful to hear experiences from different countries and receive new ideas on how to improve your own working within the NPM.“



„This workshop provided an opportunity to exchange experiences and knowledge in smaller groups in an informed manner.“

„The interactive approach and group work provided good opportunities to get information in detail from other participants.“



„I really enjoyed the practical part, when we get together in groups and were able to speak from our own perspectives and cases.“

USEFUL LINKS AND BACKGROUND MATERIAL

UN Impact Assessment Tool:

- [„Children’s rights in impact assessment“, UNICE](#)
- [„A comprehensive guide for social impact assessment“, Centre for Good Governance](#)

[„Assessing compliance with the Nelson Mandela Rules - A checklist for internal inspection mechanisms“, UNODC](#)

[„The future of mutual trust and the prevention of ill-treatment - Judicial cooperation and the engagement of National Preventive Mechanisms“, BIM / ERA](#)
(especially chapter from p. 70 onward may be relevant to NPMs outside the EU)

[„Enhancing impact of National Preventive Mechanisms - Strengthening the follow-up on NPM recommendations: strategic development, current practices and the way forward“, BIM comparative study \(May 2015\)](#)

[„Yes, torture prevention works - Insight from a global research study on 30 years of torture prevention“, APT briefing paper](#)

[UN Committee against Torture \(CAT\)](#)

[UN Subcommittee on Prevention of Torture \(SPT\)](#)

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