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## Seventy-sixth session

Item 75 (a) of the provisional agenda\*

### 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 is submitted in accordance with General Assembly resolutions [36/151](#) and [70/146](#). It describes the activities undertaken by the United Nations Voluntary Fund for Victims of Torture, in particular the outcome of the fifty-third session of the Board of Trustees of the Fund, which was held remotely from 22 to 26 March 2021. Information on the recommendations adopted by the Board at its fifty-first and fifty-second sessions, held remotely on 7 July and from 5 to 9 October 2020, respectively, is contained in the report of the Secretary-General on the Fund, which was submitted to the Human Rights Council at its forty-sixth session ([A/HRC/46/41](#)).

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\* [A/76/150](#).

\*\* The present report was submitted after the deadline owing to circumstances beyond the submitter's control.



## **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 fifty-third session of the Board of Trustees of the Fund, which was held remotely from 22 to 26 March 2021. The report complements the report of the Secretary-General on the Fund, which provided information on the recommendations adopted by the Board at its fifty-first and fifty-second sessions of the Board, held remotely on 7 July and from 5 to 9 October 2020, respectively, which was submitted to the Human Rights Council at its forty-sixth session ([A/HRC/46/41](#)).

### **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 a Board of Trustees 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. During the reporting period, the Board was composed of Sara Hossain (Bangladesh), Vladimir Jović (Bosnia and Herzegovina/Serbia), Juan Ernesto Méndez (Argentina), Lawrence Mute (Kenya) and Vivienne Nathanson (Chair, United Kingdom of Great Britain and Northern Ireland). On 5 August 2020, the Secretary-General appointed Mr. Méndez to replace Gaby Oré Aguilar (Peru), whose term of office ended on 9 July 2020, and Mr. Jović (Bosnia and Herzegovina/Serbia) to replace Mikołaj Pietrzak (Poland), whose term of office ended on 20 October 2020.

## **II. Fifty-third session of the Board of Trustees**

4. The fifty-third session of the Board of Trustees was held remotely from 22 to 26 March 2021 and was chaired by Vivienne Nathanson (United Kingdom of Great Britain and Northern Ireland). In line with its programme of work, the Board covered five main policy issues: (a) coronavirus disease (COVID-19) impact and response; (b) restricted civic space, including reprisals; (c) coordination and strategic partnerships; (d) working methods of the Fund; and (e) fortieth anniversary of the Fund.

## A. COVID-19 impact and response

5. The Board continued to discuss the impact of the COVID-19 pandemic on the Fund's operations. To reflect on the adequacy of its COVID-19 response strategy, which it had adopted during its fifty-first session, on 7 July 2020, on the basis of a three-pronged approach (combining flexibility in the implementation of 2020 annual grants, the issuance of a special call in 2020 for COVID-19 emergency grants and the adoption of specific criteria for selecting 2021 annual grants), the Board held a confidential online dialogue with representatives of the Fund's grantees on 23 March 2021.

6. Representatives of five of the Fund's grantees that had benefited from the Fund's COVID-19 response measures shared their first-hand experience. They reported that torture victims and their families, as well as the staff members of their organizations, had been overwhelmingly affected by the pandemic. Torture survivors found themselves at heightened risk of exposure to COVID-19 infection, in particular those in places of deprivation of liberty, where their access to hygiene and appropriate health and protective measures were often limited. Victims were disproportionately affected by the socioeconomic effects of the pandemic, including by the loss of employment and of access to basic health, social and educational services. Grantees reported increased trauma, in particular post-traumatic stress disorder, among their project beneficiaries, sparked by dealing with additional uncertainty, including about their employment and delayed legal or administrative proceedings.

7. Representatives reported having adapted working methods and tools to maintain business continuity to respond to the needs of their beneficiaries while respecting the "do no harm" principle. A number of the Fund's grantees had reallocated resources to provide humanitarian assistance, including food and shelter, as well as protective, hygienic and sanitary equipment. Others had reallocated resources to increased psychological and medical support. They underlined that the flexibility with regard to budget adjustments and no-cost extensions, as well as the provision of additional emergency funding, offered by the Fund had helped them to adapt, cope and continue to operate at a time of unprecedented uncertainty and mounting needs for torture victims as a result of the pandemic and its socioeconomic impact.

8. The Board recommended maintaining a flexible funding approach for the implementation of 2021 annual grants by continuing to allow for budget adjustments<sup>1</sup> and no-cost extensions,<sup>2</sup> as required, and to continue to strengthen the Fund's emergency grants procedure.

## B. Restricted civic space, including reprisals

9. The Fund is able to fulfil its mandate to channel direct assistance to victims of torture when there is a safe and enabling environment in which civil society organizations can operate. Restrictive and retaliatory measures, including reprisals owing to collaboration with the United Nations, faced by civil society may limit or even prevent organizations from obtaining access to the Fund's grants and from implementing their projects to assist victims of torture. Addressing the impact of restricted civic space on the Fund's operations, in particular on the effective and safe delivery of assistance to torture survivors, is a priority of the Board of Trustees. The

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<sup>1</sup> See para. 101 of "United Nations Voluntary Fund for Victims of Torture: guidelines for the use of applicants and grantees", adopted by the Board of Trustees during its fifty-first session, on 7 July 2020, and amended intersessionally on 1 October 2020, available at [www.ohchr.org/Documents/Issues/Torture/UNVFVT/Call/Guidelines\\_UN\\_Torture\\_Fund\\_2020\\_EN.pdf](http://www.ohchr.org/Documents/Issues/Torture/UNVFVT/Call/Guidelines_UN_Torture_Fund_2020_EN.pdf).

<sup>2</sup> Ibid., para. 53.

guidelines for the use of applicants and grantees include a chapter on restrictive and retaliatory measures, as well as chapters in which emergency grants are discussed, outlining procedures through which organizations may request additional resources and funding flexibility in order to cope and continue service delivery in such contexts.<sup>3</sup>

10. To continue to report on its response strategy for this issue, the Board recommended holding the sixth annual expert workshop and panel discussion of the Fund, on the topic “Practitioners on the frontline: enabling civic space to assist torture survivors”, on 1 and 2 April 2020. The event was cancelled owing to COVID-19-related travel restrictions and was replaced by a confidential online dialogue on the same topic, attended by selected representatives of the Fund’s grantees, as well as OHCHR. Representatives of seven civil society organizations providing support to victims of torture in a context of shrinking civic space shared testimonies on challenges faced on the ground by project beneficiaries and staff practitioners, including obstacles to legal registration, as well as financial regulations, excessive taxation and other administrative hurdles preventing access to international funding. They reported surveillance, harassment, threats and physical attacks, vilification, defamation and smear campaigns, prosecution and arbitrary detention of staff documenting torture cases or assisting torture victims, confiscation of documents, raids on premises and travel restrictions. The representatives exchanged good practices to address such challenges, including by increasing protection measures and counselling and supervision of staff and beneficiaries, devising new protocols and security guidelines, organizing capacity-building training, joining civil society and human rights defenders’ networks and seeking specialized legal support. They expressed deep appreciation to the Board of Trustees for the Fund’s response measures and made further recommendations, including the following:

- (a) Provide flexibility for grant implementation, management and reporting, to the extent possible;
- (b) Allocate additional emergency grants, as needed;
- (c) Engage in dialogue with other donors, relevant human rights mechanisms and other stakeholders to share information and formulate joint responses;
- (d) Facilitate exchanges among the Fund’s grantees facing similar challenges to share good practices and discuss possible solutions;
- (e) Promote a positive narrative on the role of civil society organizations and human rights defenders in enabling victims of torture to obtain access to redress;
- (f) Raise awareness of how restricted civic space limits the ability of organizations to provide essential services to victims of torture and to express solidarity with grantees confronting reprisals;
- (g) Support projects that strengthen the capacity of organizations and human rights defenders to document cases of torture and to assist those subjected to the practice.

11. The Board recommended endorsing the recommendations made by the Fund’s grantees in order to continue to reinforce the implementation of its response measures, with a view to adopting a toolkit.

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<sup>3</sup> Ibid., paras. 29, 41, 101 and 159–161.

## **C. Coordination and strategic partnerships**

### **United Nations anti-torture mechanisms**

12. The Board continued its collaboration with the other United Nations anti-torture mechanisms. On 25 March 2021, the Board met with the acting Chair of the Committee against Torture, Claude Heller; the Chair of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Suzanne Jabbour; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Nils Melzer, to discuss the impact of closing civic space on the practice of torture and on the access of victims to redress, including rehabilitation services. They exchanged information on the working methods of each mechanism to respond. In addition, they addressed the impact of the measures taken and emergency legislation put into effect in the context of the COVID-19 pandemic on victims of torture. The four anti-torture mechanisms agreed to focus a joint statement to commemorate the International Day in Support of Victims of Torture, 26 June 2021, on the promotion of a safe and enabling environment for civil society with a view to providing redress to victims (see para. 19). They also agreed to co-organize a webinar on the same topic (see paras. 20–21), following the precedent set in 2020 to organize a joint activity.<sup>4</sup>

### **Group of Friends of the United Nations Voluntary Fund for Victims of Torture**

13. On 26 March 2021, the Board met with the co-chairs of the Group of Friends of the United Nations Voluntary Fund for Victims of Torture, Denmark and Georgia, as well as with other founding Member States of the Group: Argentina, Austria, Chile, Czechia, Germany, Ireland, Italy, Liechtenstein, Mexico, Norway, Peru, Switzerland and the United States of America. The Group was established in March 2019 to champion the right to redress, including rehabilitation, of torture victims and to raise the visibility of and increase support for the Fund. Board members and representatives of the Group of Friends discussed the planning of the activities to commemorate the fortieth anniversary of the Fund, from 26 June 2021 to 26 June 2022 (see paras. 17–18). The Group of Friends committed itself to continuing to engage and collaborate with the Board to raise the visibility of the Fund, in particular with regard to the organization of the events taking place at the national and regional levels in the framework of the commemorations of the Fund's anniversary.

### **Convention against Torture Initiative**

14. On 26 March 2021, the Board met with representatives of the six core States of the Convention against Torture Initiative, Chile, Denmark, Fiji, Ghana, Indonesia and Morocco, to continue to exchange ideas on issues of common interest. The Board and the representatives discussed the planning of the fortieth anniversary of the Fund, as well as the impact of the COVID-19 pandemic and restricted civic space on the work of the Fund's grantees. The representatives praised the Board for the agility of the Fund in continuing to serve torture victims amid the challenges of the pandemic, shared concerns about the impact of restricted space and conveyed their interest in and support for the Fund's fortieth anniversary campaign.

## **D. Working methods of the Fund**

15. The Board of Trustees reviewed the working methods of the Fund against the targets adopted in 2014 and updated in 2019, and noted that the majority of the targets

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<sup>4</sup> See [A/75/316](#), paras. 28–30.

had been successfully met. The Board recommended increasing the number of grants to assist victims of torture in underrepresented regions, in particular the African and Asian regions. The Board also recommended that the Secretariat prepare a methodology to further refine grant-making criteria for the allocation of 2022 annual grants, in particular if the fifty-fourth session of the Board, scheduled to be held from 4 to 8 October 2021 and to be devoted to making recommendations on grants, should have to be held remotely.

16. The Board of Trustees reviewed and adopted a revised version of its rules of procedure and methods of work. The Board recommended amending the content of the sections related to the purpose of its annual sessions and to the intersessional decision-making procedures for emergency grants, voting rights, quorums and adoption of decisions, as well as those related to the advisory and promotional role of the Board, in line with the guidelines on the independence and impartiality of members of the human rights treaty bodies (the Addis Ababa guidelines) and the United Nations Disability Inclusion Strategy.

### **E. Fortieth anniversary of the Fund**

17. The Board of Trustees continued to plan the commemoration of the Fund's fortieth anniversary. It recommended launching the celebrations on 25 June 2021 to commemorate the International Day in Support of Victims of Torture, 26 June, with a webinar entitled "Fostering civic space to obtain redress and accountability for victims of torture". The anniversary celebrations will conclude on 26 June 2022 with the organization of an event in Chile highlighting the Fund's historic links to that country. In addition, a number of events will be organized throughout the year in collaboration with OHCHR field presences, other United Nations anti-torture mechanisms, Fund grantees, the Group of Friends of the United Nations Voluntary Fund for Victims of Torture and other stakeholders. The members of the Board agreed to coordinate with those partners the organization of in-region events during the first half of 2022.

18. The anniversary campaign will be aimed at raising awareness of the continuing needs of victims of torture and of the Fund's singular role in addressing them by narrating the Fund's history through a compilation of stories and voices of torture survivors assisted by the Fund from around the world during the past four decades. Stories of the journey of torture victims to obtain redress, as well as of the civil society practitioners accompanying them, will inform all activities, audiovisual materials and social media messages.

## **III. United Nations International Day in Support of Victims of Torture**

19. On 24 June 2021, a joint statement<sup>5</sup> was issued by the four anti-torture mechanisms of the United Nations: the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Board of Trustees of the Fund. Recalling that victims of torture have an enforceable right to redress and to fair and adequate compensation under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the experts expressed concern that torture survivors continue to face challenges in gaining access to redress and reparations, including the

<sup>5</sup> Available at [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27199&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27199&LangID=E).

fullest rehabilitation possible. In the statement, States were called upon to respect and uphold the right to redress, including by ensuring that civil society organizations and human right defenders carry out their vital work to document torture and support the rehabilitation of victims, without restrictions and reprisals.

20. On 25 June 2021, the United Nations anti-torture mechanisms convened the webinar entitled “Fostering civic space to obtain redress and accountability for victims of torture”. The event was organized with the support of the Center for Human Rights and Humanitarian Law at the Washington College of Law at American University, and moderated by a professor of human rights law in residence at American University and a member of the Board of Trustees of the Fund, Juan Ernesto Méndez. The event was attended by members of civil organizations supported by the Fund from around the world, numerous United Nations experts and the first Secretary of the United Nations Trust Fund for Chile, the predecessor of the United Nations Voluntary Fund for Victims of Torture, Thomas McCarthy. Following a screening of a video produced by True Heroes Films for the Fund’s anniversary, a senior legal adviser at the Department of State of the United States of America, Harold Hongju Koh, issued a statement on behalf of the Group of Friends of the United Nations Voluntary Fund for Victims of Torture, committing itself to fully supporting ways to aid and encourage survivors of torture – victims, families and communities. The United Nations Assistant Secretary-General for Human Rights and senior official on reprisals, Ilze Brands Kehris, then gave a keynote address. She expressed deep concern that civil society actors increasingly operated in constrained environments and recalled the Secretary-General’s call to action for human rights and the system-wide guidance note on the protection and promotion of civic space, recognizing that the very legitimacy and effectiveness of the United Nations depended on a partnership with civil society actors. She concluded by commending the courage and resilience of torture victims and their families, as well as the dedication of civil society actors acting on their behalf.

21. Following the introductory session, the webinar was focused on two specific issues: ensuring accountability through documentation and reporting in restricted civic space and creating the conditions to deliver effective rehabilitation services to victims of torture in such a context. In their interventions, Mr. Heller, Ms. Jabbour, Mr. Melzer and Ms. Nathanson expanded on the joint statement. Representatives of several organizations receiving the Fund’s support discussed challenges faced by civil society organizations when providing services to victims amid restrictions on civic space and exchanged good practices to maintain a victim-centred approach, to ensure the protection and security of victims seeking accountability for acts of torture in such an environment and to make effective use of existing national protection systems. They made recommendations to the four United Nations anti-torture mechanisms on enhancing the protection and promotion of open civic space and on supporting organizations working in such a context to improve the delivery of services to enable accountability and redress for victims of torture.

#### **IV. Financial situation of the Fund**

22. In 2020, the following 20 Member States contributed a total of \$10.4 million to the Fund:

**Contributions received from 1 January 2020 to 31 December 2020**

(United States dollars)

<i>Donor</i>	<i>Amount</i>	<i>Date of receipt</i>
Andorra	11 737	16 October 2020
Austria	33 936	18 March 2020
Canada (including a contribution of \$21,332 from the Government of Quebec)	44 058	9 March 2020
	21 332	26 May 2020
Czechia	8 933	27 November 2020
Denmark	751 701	20 March 2020
France	70 588	6 August 2020
Germany	223 964	7 July 2020
	310 633	16 December 2020
India	50 000	18 February 2020
Ireland	161 290	15 December 2020
Italy	30 674	5 January 2020
Kuwait	10 000	11 February 2020
Liechtenstein	26 567	23 June 2020
Luxembourg	17 605	21 October 2020
Mexico	10,000	15 January 2020
Norway	314 282	10 July 2020
Pakistan	5 000	12 August 2020
Peru	1 086	7 February 2020
Saudi Arabia	100 000	17 November 2020
Switzerland	200 000	10 December 2020
United States of America	8 000 000	28 September 2020
Individual donors	10 075	
<b>Total</b>	<b>10 413 491</b>	

23. The Board of Trustees expects to reach the target of \$12 million of income in 2021. As at 25 June 2021, the Fund had received \$942,197 from six Member States.

**V. Grants****A. Grants awarded**

24. During its call for 2021 applications, the Board of Trustees reviewed 254 admissible annual project applications (totalling \$13,959,432 in funding requests). The Board awarded 180 annual grants in 2021 (totalling \$7,424,000) to assist more than 47,000 torture survivors and their families in 79 countries. Of the projects to be implemented from 1 January to 31 December 2021, 174 involve the delivery of direct assistance services to victims of torture and 6 are for strengthening the capacity of the beneficiary organizations to deliver such services. The grant recommendations were adopted by the Board at its fifty-second session, held remotely from 5 to 9 October 2020.

25. At its fifty-second session, the Board of Trustees had set aside \$620,000 to respond to requests for emergency grants in 2021. During the first half of 2021, the

Fund awarded three emergency grants (totalling \$157,000) to provide services to approximately 716 victims of torture and their families. The grant recommendations were adopted by the Board through an established intersessional procedure.

## **B. Grant applications received**

26. During its call for 2022 applications, open from 15 January to 1 March 2021, the Fund received 287 grant applications from civil society organizations for projects to be implemented from 1 January to 31 December 2022. The secretariat of the Fund screened the applications in March and April 2021, finding 231 of them admissible, amounting to a total of \$13,256,740 in requests for direct assistance to victims of torture. Following the evaluation of those applications by the secretariat, the Board of Trustees is expected to make grant recommendations at its fifty-fourth session, scheduled to be held from 4 to 8 October 2021.

## **VI. How to make a contribution to the Fund**

27. 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  
Email: [unfvft@ohchr.org](mailto:unfvft@ohchr.org); phone: +41 22 917 9624; fax: 41 22 917 9017

28. 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](http://www.ohchr.org/torturefund).

## **VII. Conclusions and recommendations**

29. **The United Nations Voluntary Fund for Victims of Torture continues to play an indispensable supporting role for organizations that provide crucial specialized assistance to victims of torture and their families, through the impartial delivery of direct assistance. Since its establishment 40 years ago, the Fund has awarded more than 4,887 grants to 630 organizations in 139 countries, for a total amount of \$184,581,043. In 2021 alone, the Fund awarded grants to 178 civil society organizations that provided direct medical, psychological, social and legal services to more than 47,000 torture survivors, including human rights defenders, political opponents, journalists, student activists, migrants and asylum seekers, as well as persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons, children and women in armed conflict, ethnic minorities and indigenous peoples in 79 countries across the world.**

30. **The COVID-19 pandemic has disproportionately affected victims of torture, who are at risk of further deterioration of their fragile physical and mental health, as well as further violence, abuse and economic destitution. The unprecedented challenge caused by the worldwide pandemic has reinforced the need for the Fund to respond swiftly to new and emergency situations, wherever they occur, in a creative and flexible manner.**

31. **As stressed by all four United Nations anti-torture mechanisms, reprisals, as well as restrictive and retaliatory measures, against civil society organizations and victims of torture seeking redress through the United Nations human rights**

**mechanisms are on the rise in all regions of the world, with detrimental effects on the smooth running of the Fund and its operations, in particular the effective delivery of assistance to torture survivors by the Fund's grantees on the ground. The United Nations anti-torture mechanisms urge Member States to ensure a safe and enabling environment for civil society with a view to providing redress to victims of torture.**

**32. Now more than ever, States must guarantee effective and accessible avenues for redress, including rehabilitation programmes for victims of torture.**

**33. The Fund would need to enlarge its donor base and receive a minimum of \$12 million (against the 2020 annual income of \$9.4 million) on a yearly basis to respond more adequately to the high demand for assistance received. The Board of Trustees of the Fund urges Member States and other stakeholders to contribute to the Fund as a concrete manifestation of their commitment to eliminating torture.**

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