

Drafting effective annual report



SOUTH-EAST EUROPE NPM NETWORK

LJUBLJANA, 26.5.2014

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Article 23 of OPCAT



- **“The State Parties to the present Protocol undertake to publish and disseminate the annual reports of the national preventive mechanisms.”**
 - The content
 - Samples of visits reports, observations and recommendations
 - Proposals and observations concerning existing and draft legislation
 - NPMs are at liberty to publish and disseminate annual reports by themselves
 - Publication and distribution by State Parties
 - Publication is intended to enable NPMs **to employ transparent working practices, and to improve the long-term domestic impact of their work**

The NPM annual report: a tool for advocacy



- An NPM annual report represents an important **communication tool** and serves several important purposes:
 - Making the NPM visible and ensuring it is accountable;
 - Informing relevant actors and the public about the activities and the functioning of the NPM;
 - Identifying and analysing key issues related to torture prevention;
 - Proposing recommendations;
 - Measuring progress (or lack of progress) in torture prevention; and
 - Establishing and sustaining on-going dialogue with the authorities.

Target audience of the NPM annual report



- NPM annual reports are primarily addressed to **national actors**.
- The target audience of the annual report may be broad, ranging from:
 - “**receivers**” of the recommendations made by the NPM,
 - The “**constituency**” of the NPM; and
 - Actors with **specific interest in torture prevention**,
 - The **Subcommittee on Prevention of Torture** is not the primary target audience of the NPM annual report

Content of the NPM annual report



- The content of the annual report will depend on different factors:
 - Whether other substantial information has already been made public by the NPM;
 - Whether this is the first annual report of the NPM;
 - Strategy and objectives that the NPM intends to achieve with the annual report



NPM annual report should always:

- a) Include a **short introduction** of the OPCAT and the NPM's functions in the specific country;
- b) Contain updated information on the **functioning and operations** of the NPM during the period considered
- c) provide substantive **analysis of torture prevention issues**, including the most important findings and the accounts of current challenges to the protection of the rights of persons deprived of their liberty. When **visit reports are published** regularly, the NPM may synthesise key issues in relation to different places of detention, or it may analyse cross-cutting thematic issues. When **no visits reports are made public**, the annual report should include information about the main issues encountered during visits.
- d) Include key **recommendations for change**.



- **Subsequent annual** reports should systematically include follow-up information on:
 - NPM operations,
 - The level of implementation of NPM's recommendations and obstacles for implementation;
 - Outstanding issues from previously published annual reports; and
 - Changes observed related to the reasons for failures and successes in effecting change.
- After several years of operations, the NPM could consider drafting **an evaluation of its work and impact on the situation of torture** and other forms of ill-treatment. This analysis could be included in its annual report.



- The following elements should also be taken into consideration while drafting the NPM annual report:
 - Confidential information collected should be privileged and no personal data should be published without the express consent of the person concerned (Article 21(2) OPCAT);
 - The tone of the report should reflect the constructive approach promoted by the OPCAT;
 - The above-mentioned issues could be reflected in the structure of the NPM annual report.

Format of the annual report



- Varies depending on the type of NPM:
 - If the designated NPM is (part of) an existing institution the NPM annual report should be published as a **separate** report, or at the very least, should have a separate chapter in the institution's general annual report. The NPM report, or NPM chapter, should cover all aspects of the NPM's work and mandate.
 - If the designated NPM comprises several institutions, the NPM annual report should be a **consolidated** annual report **of all the institutions**. It could compile the information related to the functioning of each institution in relation to their NPM work and could strive to adopt a cross-cutting approach regarding thematic issues. Compulation of activities and results of each institution should be avoided.
 - If the designated NPM formally involves civil society organisations in its daily work, they should be **consulted** on the content of the annual report.

The length of the annual report



- Varies according to the **structure** of the NPM and the **context** in which it operates
- The **first annual report is usually longer**
- **Subsequent** annual reports **could be shorter**
- **Annexes**, while useful, **should be kept to a minimum** in order to facilitate the reading of the annual report
- A **longer online version** of the annual report, which would contain links to reports, pictures, interviews and media articles should also be considered as a complement to the printed version

Summary: Recommendations



- The NPM annual report should be primarily **addressed to national actors**.
- If the designated NPM is part of an existing institution, the NPM annual report should be **separate** or there should be a **separate chapter** in the general institution's annual report.
- If the designated NPM comprises several institutions, the annual report should be **consolidated**.
- Specific attention should be brought **to the tone of the report**, which should reflect the constructive approach promoted by the OPCAT.
- **Personal and confidential data** collected by the NPM **should be privileged**.



- The content of the NPM annual report would depend on its strategy and objectives chosen by the NPM. It should however **include information on how the NPM operates, recommendations for change, an analysis of torture prevention issues and an evaluation of the level of implementation of the recommendations.** Follow-up to observations and recommendations should be systematically included in the annual report. Balance should be sought between quantitative and qualitative information.
- The NPM should **adopt a strategy to disseminate its annual report at the domestic level**, including press conference and bilateral meetings with the relevant authorities. The dissemination of the NPM annual report should be part of the broader outreach strategy of the NPM.
- The NPM **should consider translating the annual report** or at least the executive summary **into English.**
- The NPM annual report should be **sent**, for informational purposes, **to regional and international bodies**, in particular the Subcommittee on Prevention of Torture, as well as to other NPMs.