

REDRESS

Ending Torture. Seeking Justice for Survivors

THE REDRESS TRUST

BOARD OF TRUSTEES' REPORT AND FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31ST MARCH 2010

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MESSAGE FROM THE CHAIR AND THE DIRECTOR

Message from the Chair, Sir Emyr Jones Parry GCMG, PhD, FInstP

Torture is one of the most serious crimes that can be committed. It strikes at the very core of human rights. It is about stripping away the dignity of one human being by another. It is about asserting power and control; it is about inflicting pain and despair.

Torture is illegal in war or in peace, forbidden by the Geneva Conventions and by the UN Convention against Torture. Its use is immoral and demeans us all. It is seldom effective as the victim will tend to say anything to stop the pain. It dehumanises, lowers moral standards and undermines civilisation and the rule of law. If we believe that terrorists cannot be allowed to destroy our way of life, then we cannot resort to barbarity in order to tackle terrorism. Some would seek to justify torture if it produces information to stop an imminent attack. In practice those situations are most improbable – good intelligence is much more likely to avert an outrage. Moreover torture is counterproductive and inevitably encourages others to align themselves with the victim.

As this Report will demonstrate, this has been a busy year for REDRESS. We have consistently advocated governments to comply with the absolute prohibition of torture in all circumstances. Yet, there has been little respite from the torturers. REDRESS has had a steady stream of new clients from all corners of the world and many new requests for partnerships and technical assistance to address the laws and institutions that allow torture to take hold. This is a worrying sign in a world in which States are quick to use the language of exceptionalism to justify the breach of fundamental human rights.

What is encouraging however is the growing number of prosecutions of torturers and the recognition of survivors' right to reparation, both at the international level and in an increasing number of domestic courts worldwide. This tenuous trend must be encouraged and supported, so that it can have its intended impact on the eradication of the practice of torture once and for all.

On behalf of the trustees I would like to thank all those that have helped REDRESS achieve its objectives this year and have provided much needed legal, moral and financial support.

Message from the Director, Carla Ferstman

It has been almost 18 years since REDRESS was founded and our mission has hardly changed; we at REDRESS still remain committed to making a difference in the fight against torture at the individual, community and society levels.

Our direct assistance to individuals - to the actual women, men and children that have suffered torture in the most horrific circumstances - is and always will be the backbone of our work. Their experiences humble us. Their struggles for justice in the face of the worst possible odds motivate and inspire us and it is for them and the others like them that we persevere, even when the road to reparation is long and typically indirect. More so than ever before, the survivors we are working with come from all corners of the world. Their stories differ one from the next but remind us that the struggle against torture is universal.

As our work in conflict and post-conflict situations expands, so have our connections with grassroots activists and victims' associations. These groups, usually working in remote rural areas face a range of hurdles including lack of resources and infrastructure, insecurity and reprisals from armed groups and/or governments. They have encouraged us to think openly and practically about the changing contexts of torture and related crimes, the needs of victims and strategies for addressing these needs. We are committed to working with such groups to ensure their voices are heard locally, nationally and internationally.

This year, we have worked much more intensively, both at the policy level and on behalf of individual clients, with regional and international human rights bodies. These bodies are vital to the fight against torture, particularly in encouraging states to comply with their obligations to prevent torture, investigate and prosecute torture complaints and afford adequate and effective remedies and reparation to the survivors. We continue to

be involved in training and capacity building sessions with police, prosecutors, judges, doctors and others in all regions, and have commented on national laws. This work is aimed at reducing the incidence of torture, building more effective preventive and response mechanisms, and ensuring that clear, safe and effective systems exist to enable survivors to receive justice and redress. Internationally, our efforts are directed at ensuring that international treaties and standards reflect survivors' right to justice and redress and that the international institutions that interpret these standards reflect this in all parts of their work.

Please have a read through our Annual Report, review our new and enhanced website and join us in our efforts to combat the scourge of torture. None of our work could have been possible without the support of our Board, our dedicated staff, the many partner organisations we are working with, all our supporters, pro bono lawyers, volunteers and not least, the courageous survivors and their families who shared their experiences with us and were prepared to work with us, down the long, often difficult, road to justice. From all of us at REDRESS, we thank you.

WHAT IS REDRESS?

REDRESS is an international nongovernmental organisation that helps survivors of torture and related international crimes obtain justice and works to ensure that those that perpetrate torture are held accountable. We were founded in 1992 by Keith Carmichael, a British torture survivor who started REDRESS to help torture survivors obtain what international law says they deserve but what they rarely have access to in practice: adequate and enforceable remedies and reparation for the harm they suffered.

REDRESS prioritises the interests and perspectives of survivors in all aspects of its work. The highest priority in decisions and interventions is given to promoting survivors' well-being and agency and the avoidance of further traumatisation.

OUR APPROACH TO JUSTICE AND REPARATION

What survivors tell us and what we have come to understand is that justice and other forms of reparation are crucial ways in which torture can be formally acknowledged and essential to the restoration of survivors' dignity and sense of self.

Justice serves a number of purposes. It underscores that there are consequences for breaking the law and thereby encourages respect for the rule of law; it deters the commission of future crimes; it recognises the harm done to the victims and assists the individuals and communities concerned to move beyond disadvantage. These measures can also help survivors to achieve some closure and move forward with their lives.

Justice is as much about the process as about the result. A justice process which allows survivors to actively participate while respecting their needs for dignity and privacy; a process which does not re-traumatise or stigmatise or lead to reprisals from perpetrators or the wider community, can have a positive influence on survivors' well-being. Justice thereby demands genuine, fair and accessible procedures.

What survivors of torture seek from the justice process is typically the acknowledgement that they were wronged at no fault of their own. Torture typically takes place behind closed doors in a veil of suspicion. It is often thought that survivors did something wrong, that they somehow deserved the treatment that was meted out against them. Survivors are looking for effective and enforceable measures of relief. These measures include:

Restitution – helping to put the survivor back to their previous situation before they were violated (whilst it is recognised that torture cannot be 'undone,' measures of restitution in a torture case might include restoration of property or citizenship or reinstatement of employment);

Compensation – recompensing the survivor or his or her relatives for all the assessable moral and material losses arising from the violation;

Rehabilitation – including both physical and psychological rehabilitation as well as legal support;

Satisfaction and guarantees of non-repetition - measures aimed at restoring dignity to survivors, ensuring victims' rights and dealing with the underlying cause of the violation in order to forestall its recurrence. In the context of torture, this might include police vetting and training programmes, truth commissions and public inquiries, memorials, as well as criminal investigations and prosecutions and administrative sanctions.

OUR METHODS

We are working towards a world without torture.

We pursue our mission through a range of interventions including casework, advocacy and capacity building:

Casework – We provide legal assistance to individuals and communities that have suffered torture and related international crimes in securing their rights. We provide legal advice, referrals, litigation support and representation to survivors in all regions of the world.

Advocacy – With governments, parliaments, international organisations and the media. REDRESS carries out advocacy to underscore to governments and other policy makers the need to respect the absolute prohibition against torture and to afford adequate and effective remedies to survivors. We encourage policy makers to address gaps in legislation that inhibit survivors' rights or shield perpetrators from responsibility.

Capacity Building – Working in partnership with like-minded organisations around the world. REDRESS provides technical assistance and support to a range of organisations to strengthen local initiatives to combat torture and help survivors. We also work with government and related institutions by providing training on international standards and best practices and lessons learned from other countries with similar challenges, in order to strengthen their practices aimed at eradicating torture and respond effectively to torture allegations.

OUR PROGRAMMES – WHAT WE DO AND HOW WE DO IT

The four broad areas of our work used to advance our mission to combat torture:

- **Casework:** making a difference to individuals and communities directly
- **Working in Post-Conflict Contexts:** To obtain justice and redress for survivors in post-conflict contexts
- **Promoting International Standards and Institutions:** To promote international standards of justice that reflect the rights of survivors to effective participation and redress.
- **Influencing National Standards and Practise:** To promote national laws and institutions that reflect torture survivors' rights in practice

CASEWORK

Obtaining justice and redress for torture survivors is central to REDRESS' mandate and over the years REDRESS has developed a particular expertise in this area. We have a dedicated programme to provide legal advice and support to survivors in the United Kingdom and overseas, to enable them to bring their case to the relevant court or administrative body and to obtain reparations for the torture they endured.

We advise torture survivors about legal avenues for reparation in national, regional and international jurisdictions and provide expert advice, referrals, litigation support and representation.

Our strategies are designed to meet as far as possible the needs and goals of our clients. We advance criminal prosecutions of alleged perpetrators, civil actions for reparation, and other possibilities such as apologies and formal acknowledgement and rehabilitative measures. REDRESS also intervenes as 'third-party' or 'amicus' in cases involving torture survivors' rights to remedies and reparation.

These cases are important to the individuals and communities directly concerned, however they also serve an additional purpose of advancing the rule of law in the fight against torture worldwide. Each case in which a prosecution for torture is secured, or in which compensation and other remedies are agreed signals to would-be torturers that the practice is no longer condoned.

In the United Kingdom, our clients are either British nationals who were tortured whilst working or travelling abroad or refugees and asylum seekers fleeing torture in their home countries. Here, we have formed a special relationship with the Traumatic Stress Clinic in London for the cross-referral of cases and also collaborate with the Medical Foundation for the Care of Victims of Torture and other trauma care groups working with torture survivors. We also work with refugee and asylum-seeker community groups and specialised agencies and provide a range of support for the numerous torture survivors they come across in their daily work.

Increasingly, as a result of the growing international recognition of REDRESS' specialised work, there has been a marked increase in requests of assistance from individuals and organisations in countries around the world. In order to service these needs, REDRESS has specialised legal advisors that collaborate on international cases. In some countries, REDRESS' work will develop as a result of ad hoc or periodic requests for support coming from survivors directly or their lawyers; in other countries, REDRESS has built longstanding partnerships with local organisations and collaborates not only on legal challenges but also a range of thematic and policy-oriented initiatives aimed at fostering broader changes in the country.

Some of our cases this year ...

Sudan (Soba Aradi camp): This case involves internally displaced persons who were living in the Soba Aradi camp on the outskirts of Khartoum. The displaced persons had fled to Khartoum from Southern Sudan, Darfur and other parts of Sudan. At the time of the incidents in May 2005, the camp had a population of around 10,000 persons. On 18 May 2005, a team of police officers and soldiers entered the camp. They allegedly sealed off parts of the camp and sought to forcibly relocate several thousand resident families. The residents resisted and violence broke out. The police are said to have fired teargas and live ammunition and 15 police officers and at least five displaced persons were killed during the ensuing violence, and the police station in Soba Aradi was set on fire. Thereafter, a police force of over 6,000 officers reportedly returned to the camp and made

REDRESS is working on about 60 cases relating to 957 survivors

786 of these survivors were tortured in Africa

100 were tortured in Eastern Europe and former Soviet states

46 were tortured in Asia

14 were tortured in Latin America

12 were tortured in Western Europe and other states

We are currently working on cases that relate to torture and related international crimes perpetrated in: Algeria; Argentina; Cameroon; Chile; Democratic Republic of the Congo; Eritrea; Ethiopia; Greece; India; Iran; Iraq; Kenya; Kuwait; Libyan Arab Jamahiriya; Maldives; Nepal; Peru; Philippines; Russian Federation; Rwanda; Sri Lanka; Sudan; Turkey; Uganda; United Kingdom; Zimbabwe

a large number of arrests. The United Nations Special Rapporteur on Human Rights in the Sudan, Ms. Sima Samar, reported that 904 persons had been detained in connection with the incident. Many of the persons arrested alleged that a variety of forms of torture were perpetrated on them by officers of the Khartoum State Police and several deaths resulted. Despite the filing of a criminal complaint, including 72 witness statements, there was very little follow-up by Sudanese authorities. Consequently, a complaint filed with the African Commission on Human and Peoples' Rights (ACHPR). The case was seized by the ACHPR during its sixth extraordinary session (30 March – 3 April 2009). The Government of Sudan has filed a detailed response on admissibility and REDRESS has submitted a further reply to this response.

Mexico (Algodonero – Cottonfields case): This case concerns the failure by Mexico to investigate, prosecute and prevent the numerous cases of disappearances, rapes, and murders of young women and girls in the city of Ciudad Juarez in Northern Mexico. REDRESS, together with the Human Rights Centre at the University of Essex, the International Center for Transitional Justice and several leading academics, submitted an amicus curiae (third-party) written brief to the Court. The brief provided a gendered analysis of the requirements of reparation, taking into account the particular needs to deal with the legacy of the wide-scale and systematic violence perpetrated against women and the requirements to guarantee non-repetition. On 10 December 2009, the Inter-American Court of Human Rights held that Mexico violated its human rights obligations by failing to exercise due diligence when investigating and responding to gender-based violence committed by private actors, failing to protect the women from the violence and failing to carry out prompt and effective investigations. The Court ordered Mexico to establish a national memorial and related remedial measures, carry out renewed investigations and afford reparations to the families.

Kenya (renditions): REDRESS is helping a woman from the United Arab Emirates who, in January 2007 was in Mombasa on business when she was detained and 'extraordinarily rendered' under the belief that she was Somali as part of the mass rendition of Kenyans of Somali origin. She was illegally and arbitrarily arrested and transferred without any legal process or consular access to Somalia and then Ethiopia where she was detained under extremely poor conditions, and released two months later. She was made to fear for her life and that she would be tortured and raped, particularly in one instance when she was taken to the Tanzanian border and one police officer threatened to detain her in a cell with male detainees. REDRESS has assisted the client to obtain legal counsel in Kenya, and has worked with such counsel to draft and file a petition in the Kenyan High Court to seek a remedy for her illegal transfer to Somalia and Ethiopia.

Greece: REDRESS is helping a Turkish national who was tortured by Greek coastguard officials in Crete. He was detained with 163 other migrants after their boat ran into troubles. He was singled out for his sexual orientation and raped with a truncheon in the toilets by one of the detaining coastguards. REDRESS brought the case to the attention of the European Court of Human Rights, arguing that the criminal legal process that had proceeded in Greece and led to the conviction of several members of the Coastguard was grossly inadequate in light of the crimes, as the offenders had been conditionally discharged. Recently, in early 2010, the European Court transmitted the case to the Greek Government, the first step in the process leading to the case being heard by the Court.

Nepal: REDRESS is working with the Nepalese organisation Advocacy Forum on the Sharma case, a case involving the disappearance of Surya Prasad Sharma. Mr. Sharma was taken from his home by uniformed army personnel to the Kalidal Gulm army barracks in January 2002. His wife heard rumours that he had been severely tortured; eventually she was told that her husband had drowned when trying to escape the barracks, though the body was never recovered. A petition was filed with the United Nations Human Rights Committee. In its first ever decision against Nepal, the Committee determined that to keep the author's husband in captivity and to prevent him from communicating with his family and the outside world constitutes a violation of the right to be free from torture. It also concluded that the anguish and stress that the disappearance caused Mrs. Sharma was a further violation of the right to be free from torture. The Committee indicated that Nepal was obligated to provide Mrs. Sharma with an effective remedy, including a thorough and effective investigation into the disappearance and fate of her husband, his immediate release if he is still alive, adequate information resulting from its investigation, and adequate compensation for her and her family for the violations suffered by her husband and by themselves. The Committee also noted that Nepal is duty-bound not only to conduct thorough investigations into alleged violations of human rights, particularly enforced disappearances and acts of torture, but also to prosecute, try and punish those held responsible for such violations. Nepal is also under an obligation to take measures to prevent similar violations in the future. REDRESS is working with Advocacy Forum to ensure that the decision is enforced by Nepal.

Uganda: REDRESS is helping a Rwandan national who was arbitrarily detained, held incommunicado and severely tortured in Uganda to the point where he sustained life-threatening injuries. REDRESS worked with a number of local and international organisations to facilitate his access to specialised medical treatment. REDRESS also filed a claim with the African Commission on Human and Peoples' Rights. The claim has been acknowledged by the Commission and submissions on admissibility have taken place. Following a range of threats and related challenges, REDRESS has assisted the client to obtain refugee status through the UN High Commissioner for Human Rights.

Common Challenges

The most common challenges faced in our casework this year include:

- **Protection of victims and witnesses:** A number of REDRESS' clients and those that support them locally have received threats as a result of their pursuit of justice. Few countries have adequate measures of protection for victims of human rights violations and the human rights defenders that support them.
- **Inappropriate use of procedural barriers to avoid accountability:** In a number of countries, immunities and state secrets' doctrine have been used to prevent courts from adjudicating torture complaints. For example, in the case of **Maher Arar**, the Canadian citizen who was extraordinarily rendered by **United States'** authorities to Syria where he was tortured, US courts have recently shut down all hopes of accountability when they refused to allow Arar's claim to proceed against US officials, on the grounds of immunities and the need to preserve state secrets. In **Sudan**, immunities have not been lifted to allow for prosecutions against police in a number of torture cases, making accountability virtually impossible.
- **Delays and related obstructions in the investigation of torture claims:** in some of REDRESS' cases, particularly those in **Russia** and **Sri Lanka**, authorities have obstructed investigations. In one **Russian case**, a victim was tortured by police during an interrogation. A complaint of ill-treatment was filed immediately after the incident and despite the filing of six consecutive complaints (each new complaint had to be filed because the previous one had been prematurely closed by the authorities), the Prosecutor's Office failed to initiate an investigation. Finally, more than two years after the incident, an investigation was opened but by this time, the delay has had a detrimental impact on the evidence.
- **Delays by regional and international bodies in the consideration of complaints:** Often, because of the sheer number of complaints, regional and international human rights bodies have taken literally years and sometimes decades to resolve cases. In one of our cases before the **Inter-American Commission** relating to a **Chilean** tortured during the Pinochet regime and now in his 70's, the Commission made a positive finding that the case was admissible in 2004, but now, more than six years later, it still has not issued a report on the merits or made a determination as to whether the case should be transmitted to the Inter-American Court for final decision.
- **Failure to implement decisions:** In a number of REDRESS' cases in which positive views were issued by the United Nations Human Rights Committee, the respondent governments have failed to implement the decisions. This for instance, occurred in torture cases relating to **Nepal**, the **Philippines** and **Sri Lanka**. The United Nations' Human Rights Committee is an important institution by which states' obligations under the International Covenant on Civil and Political Rights are clarified; the failure by states to take the Committee's Views seriously undermines the value of the UN protection machinery, more broadly.

WORKING IN POST-CONFLICT CONTEXTS

Torture has been used extensively in violent conflict situations and continues even after the conflict ends. Since its establishment, REDRESS has assisted survivors of torture and related international crimes in post-conflict contexts to seek justice and redress. The context of conflict impacts upon the nature and forms of torture, the types of perpetrators (state and non-state actors) as well as the nature and position of the victims (children, women, displaced persons). During conflict, torture is rarely perpetrated in isolation, but forms part of a broader pattern of human rights abuse.

Survivors have rights to effective remedies and reparation under international law. However, survivors' rights and interests are generally negatively impacted in post conflict contexts. Ensuring that accountability is made part of peace negotiations can be sensitive, given the various interests of the parties which tend to differ from those of the individuals and communities most affected by conflict. Furthermore, the difficult living conditions that most survivors find themselves in make it hard for them to access information about their rights and available mechanisms for redress. REDRESS' work in post-conflict contexts includes:

In December 2009, we organised together with Rights & Democracy and the Democratic Republic of the Congo based organisation SOFEPADI a forum on gender-based violence, which led to the issuance of 'the Goma Declaration' on reparation for gender-based violence in the DRC.

Empowering survivors by strengthening local networks

- We coordinate the Victims' Rights Working Group, an active network of NGOs and experts advancing victims' rights before the International Criminal Court. The dedicated website of the Victims' Rights Working Group is located at: www.vrwwg.org. REDRESS hosts this website, runs the group's listserv which comprises more than 350 members and coordinates the group's joint statements, meetings and related work;
- We supported the establishment and work of the Uganda Victims' Foundation, a Ugandan network of victim-focused organisations covering the 14 districts of Northern Uganda. The Foundation originally started as the Ugandan arm of the Victims' Rights Working Group and today is a fully-fledged Ugandan registered organisation;
- We are working to build capacity on gender-specific reparations in the Democratic Republic of Congo.

Informing and influencing policy and law reform at national level

- **Victims' rights in peace negotiations;**
- **Victims' rights in national transitional justice mechanisms.** For example, during the year, REDRESS provided advice to the newly established Kenyan truth commission on issues relating to reparations for victims of the post-election violence. REDRESS also worked closely with the Cambodian NGO network CHRAC to consider options for reparations for victims of the Khmer rouge regime. In Uganda, we worked with the Uganda Victims' Foundation to help it develop responses to the draft reconciliation bill and the operation of the Special Chamber of the High Court, a body with a mandate to try war crimes and related international crimes.
- **Victims' rights in international justice, including the International Criminal Court.** For example, REDRESS led civil society initiatives to consider the impact of the International Criminal Court on victims and affected communities, as part of the stock-taking exercise carried out by States Parties in the lead-up to the Review Conference which took place in Kampala, Uganda in May-June 2010. REDRESS' Director and International Criminal Court advisor co-published the edited collection: *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity: Systems in Place and Systems in the Making* [C. Ferstman, M. Goetz, A. Stephens (eds.)], published by Martinus Nijhoff Press in the Netherlands. The book considers the best practice of affording remedies and reparations to victims of mass crimes, looking at both national and international responses.

Influencing policy, practice and jurisprudence of national and international justice mechanisms operating in relation to the post-conflict context

- International Criminal Court;
- Extraordinary Chambers in the Court of Cambodia;
- Special Court for Sierra Leone

INFLUENCING NATIONAL STANDARDS AND PRACTICE

REDRESS works to ensure that international standards relating to the prohibition of torture and reparation for survivors of torture and related international crimes are applied at the national level. Part of this work is focused on informing and influencing new laws and practices at the domestic level. Other aspects include advocating and building the capacity of national-level institutions to ensure compliance with existing standards.

Some of the typical challenges we face in this area include:

- **Inadequate laws**, such as a law that puts an unrealistic timeframe on victims' ability to raise complaints of torture or a law that states that certain high officials are immune from prosecution;
- **Absence of law**, where there is no law providing for compensation of torture, or no definition of torture in the criminal code;
- **Institutional barriers**, often national police forces in countries where torture is endemic have insufficient training on standards to prevent and prohibit torture and/or poor track records in the investigation of torture allegations. At times prosecutors are unaware of the best practice of other countries with a similar legal framework or of recent cases at the international level.

This year, the issues we canvassed include:

Advocacy and Capacity Building on the Prohibition of Torture

During the year, REDRESS continued to carry out advocacy and capacity building on the prohibition of torture in a number of countries worldwide.

- We submitted a third-party alternative report to the UN Committee Against Torture regarding **Chile's** compliance with the Convention Against Torture. We focused our comments on challenges for survivors of torture to access justice in **Chile** including refugees who were forcibly expelled from the country;
- On 18-19 November 2009, we participated in the EU-China Human Rights Seminars: Access to Justice & Human Rights and the Global Economic Crisis, in Beijing, **China**, and intervened on the issue of detainees' rights and the prevention of torture;
- We participated in conferences on torture issues in **Kenya**, in March 2009 and again in November 2009, both of which served as opportunities for REDRESS to share information about strategies to promote accountability for torture. In September 2009, REDRESS was also invited to brief the newly elected **Kenyan Truth Commission**, established to consider the history of human rights abuses in Kenya in the context of the recent post-election violence;
- REDRESS attended the inauguration of the **Maldives** torture victim association and carried out training in the **Maldives** for civil society and state officials on the obligations set out in the Convention Against Torture;
- We submitted, jointly with the Advocacy Forum and the Association for the Prevention of Torture, a follow up submission to the UN Special Rapporteur on Torture following his report on torture in **Nepal**. In May 2009 and again in March 2010, we co-organised with our partner in **Nepal**, the Advocacy Forum, training sessions on the documentation and investigation of torture cases, for the benefit of doctors, lawyers, police, prosecutors and judges;
- In April 2009, REDRESS worked with its **Russian** partners at NNCAT Committee Against Torture to provide training to local lawyers and human rights activists on torture issues and the European Convention;
- On 1-3 March 2010, we co-hosted with SIHA an expert meeting on criminal law reform in **Sudan** entitled: Criminal Law Reform and Human Rights in Sudan: National, regional and international perspectives. The meeting was attended by Sudanese and international lawyers, academics and human rights defenders and held in Kampala, Uganda. We also held a number of additional technical meetings on law reform and human rights in Sudan, which took place inside and outside of the country. In addition, we provided oral and written evidence to the United Kingdom All Party Parliamentary Group on Sudan on legislative reforms in the context of elections and the implementation of the Comprehensive Peace Agreement;

- On 26 June 2009 we held a one-day Conference at Allen & Overy, in London, **United Kingdom** during which we discussed with refugee service providers and other policy makers the adequacy of support and reparation for torture survivors in the UK;
- REDRESS liaised with **United States'** Government on a number of related concerns regarding the government's failure to account for the use of torture and cruel, inhuman and degrading treatment and punishment in its 'war on terror'. We also wrote to the Attorney-General, following his decision to open a limited investigation into CIA abuses, expressing our hope that the investigation would comply with the USA's obligations under the UN Convention Against Torture.

Victim and witness protection

Following the concerns expressed by partners and other human rights defenders worldwide with whom we work, we carried out an extensive research project which culminated in the release at the end of 2009 of the report: ***Ending Threats and Reprisals Against Victims of Torture and Related International Crimes - A Call to Action***. The Report considers the countless incidents in which victims, their families and their representatives have been threatened or reprisals have actually been taken against them in an attempt to prevent them from speaking about what happened to them. Where victims have attempted to assert their rights by lodging a formal complaint or pursuing some kind of legal action, reprisals have included killings and physical attacks on them, their families, legal counsel, human rights defenders who take up their cause and key witnesses in addition to the making of death threats, intimidation and constant harassment, defamation, arrests and re-arrests, fabricated charges, loss of jobs, forced relocation and attacks and burning of houses. Threats and reprisals can often result in victims withdrawing their case and key witnesses failing to testify. They can also have the broader effect of deterring other victims and witnesses from bringing complaints out of the fear that they too will be subjected to similar action. The Report finds a number of gaps, including that there is a lack of clarity as to the content of the right to protection, the absence of suitable structures at the domestic level to afford protection to victims of crime, the inability of states to afford protection in a context of conflict or protracted instability, the failure of governments to establish appropriate mechanisms to deal with allegations of state abuses, insufficient implementation of precautionary or provisional measures ordered by international bodies and a failure by international bodies and courts to appreciate and respond to the specificities of the risks posed.

Many of the challenges relate to a lack of resources but part of the problem is also the narrowness of the approach taken by authorities when dealing with protection, and the lack of will to afford protection and at times the active sabotaging by states of victims' and witnesses' security. Protection measures should be designed with regard to the particular problems that present themselves, having regard to the specific circumstances of the individuals in need of protection and the security environment in which they live. Flexibility as to who may qualify for protection and flexibility on the range of measures that may be afforded is essential if progress is to be made. Policymakers should be consulting with victims themselves in all their diversity about what measures may be necessary, and including them in decision-making processes. The Report recommends a number of measures that should be taken by states and others to improve protection to victims and witnesses.

Rehabilitation

REDRESS produced the study ***Rehabilitation As A Form of Reparation Under International Law*** in order to progress thinking on what exactly rehabilitation means, to whom it applies and for what duration (many human rights violations have life-long and multigenerational impacts), who has the obligation to afford it and how practically it can be afforded. REDRESS posits that the absence of an interdisciplinary dialogue on rehabilitation has hampered efforts aimed at addressing its legal conceptualisation. The discussion paper identifies some of the key legal gaps and challenges relating to rehabilitation as a form of reparation under international law, and more precisely in international human rights law.

Universal Jurisdiction

The crime of torture is recognised, together with a number of other international crimes, to be so heinous, that it offends the interests of the international community as a whole. Thus, it has been recognised that all states have an interest in prosecuting torture cases, regardless of where the crimes took place or the nationality of the victims or perpetrators. The United Nations' Convention Against Torture sets out a 'prosecute or extradite' requirement – this requires a state party to take the necessary measures to 'establish its jurisdiction over such

offences in cases where the alleged offender is present in any territory under its jurisdiction and it does not extradite him’.

REDRESS believes that such trials, which proceed on the basis of ‘universal jurisdiction’ are a vital means to ensure that there are no gaps in justice. At times, the courts in the countries where the crimes took place will not be willing or able to prosecute the suspects. Equally international jurisdictions such as the International Criminal Court will not always be available given the limits of their mandates.

In the **United Kingdom**, REDRESS worked with the Aegis Trust and members of both Houses of Parliament to encourage the government to amend its legislation relating to the prosecution of genocide, war crimes and crimes against humanity cases in UK courts. As a result of those efforts, this year, the **Coroners and Justice Act** was amended (initially tabled as a Private Members’ Bill by Lord Carlile of Berriew) and passed into law. The original legislation only allowed individuals to be prosecuted for genocide, war crimes and crimes against humanity if they committed those crimes after 2001. This created a major gap in that it did not allow for prosecutions of suspects of crimes which predated 2001, such as those suspected of crimes linked to the Rwandan genocide which took place in 1994. Earlier, UK courts had failed to extradite four genocide suspects to Rwanda citing fair trial concerns. The combined impact of the lack of jurisdiction to prosecute in the UK and the failure of the extradition request resulted in the unsatisfactory situation that the individuals were allowed to stay in the UK without fear of sanction. Now that the law has changed, jurisdiction can now be exercised against anyone suspected of such crimes committed on or after January 1991. **As a result of our work in support of changes to the Coroners and Justice Bill, REDRESS was shortlisted jointly with Aegis Trust, for the Liberty/Justice Human Rights Organisation of the Year.**

REDRESS is also part of a newly created **War Crimes Community Involvement Panel** coordinated by the **UK Crown Prosecution Service**, in which issues and challenges relating to such prosecutions are aired.

As part of its longstanding project with the International Federation for Human Rights (FIDH) on the exercise of universal jurisdiction in the **European Union**, we are working to advance the work of Member States in the investigation and prosecution of serious international crimes. We are collaborating with the *European Union Network of Contact Points in respect of persons responsible for genocide, crimes against humanity and war crimes*, which is comprised of investigators, prosecutors and Ministry of Justice officials from Member States of the European Union. We also provide comparative analysis on national legislation, national jurisprudence and the operating systems in place in different countries, to promote dialogue on methodologies and best practice across the European Union. In the past year we organised in Brussels in November 2009 a meeting entitled: **Universal Jurisdiction Trial Strategies: Focus on Victims & Witnesses**. The meeting brought together legal practitioners, state investigators and prosecutors, civil society and victims involved in universal jurisdiction cases to discuss practical issues regarding the conduct of trials in European countries. The conference considered victims’ experiences of the trial process, including their access to information, ability to follow proceedings and express views and concerns. It also considered challenges relating to the protection of victims and witnesses in the territorial state as well as evidentiary challenges and testimony during trial, inter-state cooperation and rogatory missions. Finally, the conference considered judgments and the impact of the trial process, including the issuance of reparations awards and challenges of enforcement. REDRESS also participated in the 8th **meeting of the EU Network of Contact Points** in respect of persons responsible for genocide, crimes against humanity and war crimes, which took place in Madrid in May 2010. During the meeting, we presented a paper to the Network on its research on the legislative framework and its practical implementation by Member States.

Certain political challenges which arose following the issuance of indictments by Spanish and French prosecutors against a number of current Rwandan officials, led the African Union to issue a statement on the ‘abuse of universal jurisdiction’. Thereafter, the African Union and European Union commissioned an experts study to consider the matter, resulting in the release of a joint report. REDRESS, together with the International Federation for Human Rights, contributed to this process, both in advance of the release of the study and in its comments on the text that was ultimately released.

Throughout the year, REDRESS also continued its work with the organisation **African Rights**, to provide factual information regarding the presence of Rwandan genocide suspects to investigators and prosecutors worldwide. In the year, it continued to liaise with prosecutors in a number of European countries as well as in Southern Africa.

Barring Immunities in Torture Cases

Immunities which have the effect of blocking investigations, prosecutions and civil reparations, are inconsistent with the right of victims to access justice and the obligation to prosecute international crimes. REDRESS has been working to bring an end to the operation of immunities for those who perpetrate torture.

During the year, REDRESS, together with Amnesty International, INTERIGHTS and JUSTICE, submitted to the European Court of Human Rights a written brief on the non-applicability of immunities to individual torturers, in the cases of *Jones v. THE United Kingdom* and *Mitchell and others v. the United Kingdom*. The cases, currently pending before the Court, concern the right of British nationals to bring a claim in English courts against the individual Saudi officials and the Kingdom of Saudi Arabia, whom the claimants allege are responsible for their torture.

REDRESS is also pursuing the **Torture Damages Bill**, a UK private members' bill initiated by Lord Archer of Sandwell QC, which legislates an exception to state immunity in the case of torture. The UK **Joint Parliamentary Committee on Human Rights** launched an inquiry into the Bill as part of its broader consideration of the UK's compliance with the UN Convention Against Torture. It concluded that:

101. **The practical questions of foreign relations, enforcement and litigation procedure are important, but they are secondary to the issue we are examining, which is: should there be a civil remedy available in the UK to victims of torture at the hands of foreign states? We are of the strong opinion that there should. Such an action would be in line with our positive responsibilities towards torture victims under international law. It would also go a long way towards the rehabilitation of torture victims, for whom access to an action for damages would itself be an acknowledgement of their suffering.**

102. **The UK should lead the international community in condemning torture and expanding international law to ensure victims have access to the reparations they are entitled to. This Bill would send a strong message: there are consequences for states that torture. We recommend the Government adopt the Torture (Damages) Bill and then consider what else needs to be done to promote its enforcement.¹**

REDRESS will continue to advocate the adoption of the Bill.

PROMOTING INTERNATIONAL STANDARDS AND INSTITUTIONS

International Standards

An important part of REDRESS' work is to ensure that survivors' rights are recognised and protected in international treaties, declarations and principles, and that the bodies interpreting such instruments set out in their jurisprudence and commentaries positive explanations which affirm survivors' rights in context. Key recent examples of this work are:

- Our role in contributing to the development of standards on victims' rights and reparation which were included in the adopted texts of the **UN Basic Principles and Guidelines on the Right to a Remedy and Reparation**, the **Updated set of principles on Impunity** and the **Statute of the International Criminal Court**.
- Our work with the Coalition on Women's Human Rights in Conflict Situations to formulate the **Nairobi Declaration on Women's and Girls' Right to a Remedy and Reparation**, a civil society-initiated text which focuses on the particular contexts of violence perpetrated against women and girls in conflict situations, and the nature of the obligation on states and others to repair and redress their suffering. Fundamentally, the Declaration recognises that reparation must go above and beyond the immediate reasons and consequences of the crimes and violations; they must aim to address the political and structural inequalities that negatively shape women's and girls' lives.

¹ Joint Committee on Human Rights, *'Closing the Impunity Gap: UK law on genocide (and related crimes) and redress for torture victims'*, Twenty-fourth Report, HL 153/HC 553, 11 Aug. 2009, paras. 101-02.

- As part of its work with international criminal justice institutions, REDRESS co-organised a conference together with FIDH and International Criminal Law Services in April 2009, to consider some of the residual functions issues associated with the pending closure of the **Yugoslavia and Rwanda tribunals** and the specific issues for European Union member states.
- REDRESS continued to promote the rights of victims before the **Extraordinary Chambers of the Courts of Cambodia** (ECCC), the specialised chambers established to deal with Khmer Rouge-era crimes. We are working with the Cambodian NGO network CHRAC to engage with the Court on its reparations policy. In December 2009, we held a panel discussion on reparations and launched a report with CHRAC, in which we called on the Court to take practical measures to ensure that it was in a position to provide meaningful reparations to victims. In addition, we submitted, jointly with Cambodian NGOs and others, comments on the proposed rules changes, in which the ECCC judges proposed to limit civil party participation and streamline the reparations process.

International Institutions

i) The International Criminal Court

- As part of our work on the **International Criminal Court**, we organised, together with Rights & Democracy and the Coalition on Women's Human Rights in Conflict Situations, a **colloquium with the judges of the Court on gender and reparations**. The Colloquium, which took place in November 2009, was a good opportunity to discuss the Nairobi Declaration on Women's and Girls' Right to a Remedy and Reparation, to determine its applicability to ICC reparations proceedings. In addition, REDRESS submitted in March 2010 a policy report to the **Board of Directors of the Trust Fund for Victims** on the progressive realisation of its mandate. The report encouraged the Board of Directors to further consider how best to proceed with preparations to implement reparations orders emanating from the Court.
- From January to May 2010, REDRESS, as part of its work to coordinate the **Victims' Rights Working Group**, helped garner civil society input to the Assembly of States Parties' consideration of the impact of the ICC system on victims and affected communities. REDRESS, together with other members of the Victims' Rights Working Group, developed a questionnaire to facilitate the collection of feedback from victims and communities in countries affected by ICC proceedings as well as other countries not yet under consideration by the Court. REDRESS jointly organised a stocktaking meeting in Northern Uganda and obtained further information from civil society in Democratic Republic of the Congo on their views on justice. On behalf of the Victims' Rights Working Group, it published the report ***The Impact of the Rome Statute System on Victims and Affected Communities***, which was released in advance of the ICC Review Conference which took place in May 2010.
- During the year, we also continued to disseminate our bulletin on victims' rights 'Access' available in English, French, Spanish and Arabic, as well as periodic legal updates on the Court's decisions affecting victims' rights.

ii) Regional and International Human Rights Bodies and Courts

- REDRESS continued to engage with regional human rights courts, mainly through the submission of written comments as a third party intervener.
- Before the **European Court of Human Rights**, REDRESS submitted three amicus curiae submissions during the year:
 - i) In February 2009, REDRESS was granted leave to intervene in the Grand Chamber consideration of **Gäfgen v. Germany**, a case in which an accused person was threatened with torture to reveal the whereabouts of the child he was said to have abducted who was believed to be in imminent danger (later it was revealed that the child had already been killed). REDRESS provided an analysis of the jurisprudence on the definition of torture, considering whether a threat to torture could itself constitute torture. We also considered what measures of

redress were appropriate to address the consequences of such a threat. In its judgment of 1 June 2010, the Grand Chamber, referring to REDRESS' submission, concluded that a threat of torture can amount to torture, as the nature of torture covers both physical pain and mental suffering (though in the circumstances it found that the impugned acts did not amount to torture). It also made the point that 'neither the protection of human life nor the securing of a criminal conviction may be obtained at the cost of compromising the protection of the absolute right not to be subjected to ill-treatment proscribed by Article 3, as this would sacrifice those values and discredit the administration of justice.'

- ii) In June 2009, REDRESS and the European Center for Constitutional and Human Rights submitted a brief in the case of **El Haski v. Belgium**. The case relates to a Moroccan citizen who was convicted by Belgian courts to seven years imprisonment on terrorist related offences. El Haski alleged that some of the evidence used to convict him was evidence procured by torture, violating the prohibition against torture and his right to a fair trial. We provided analysis and comparative jurisprudence to the Court on the scope and nature of the exclusionary rule and an analysis of the impact of the violation of the exclusionary rule on the fairness of proceedings. At the time of writing, the case was still pending.
 - iii) At the end of February 2010, REDRESS, together with Amnesty International, INTERRIGHTS and JUSTICE, submitted to the European Court of Human Rights a written brief on the non-applicability of immunities to individual torturers, in the cases of **Jones V. THE United Kingdom** and **Mitchell and others v. the United Kingdom**. The cases, currently pending before the Court, concern the right of British nationals to bring a claim in English courts against the individual Saudi officials and the Kingdom of Saudi Arabia, whom the claimants allege are responsible for their torture.
- Before the **Inter-American Commission and Court of Human Rights**, REDRESS submitted two amicus curiae submissions. Its August 2009 submission in the **Campo Algodonero (Cottonfields)** case against Mexico focused on the need for the Court to take a gendered approach to reparations to address the consequences of the killings, mutilations and disappearances of young women in the border town of Ciudad Juarez. This was taken up in the Court's seminal judgment which was released on 10 December 2009. At the end of March 2009, REDRESS submitted an amicus curiae submission to the Inter-American Commission in the case of **Khaled El-Masri**, the German citizen who was 'extraordinarily rendered' from Macedonia to Afghanistan, where he alleges he was arbitrarily detained, tortured and ill-treated from 23 January to 29 May 2004. El-Masri had brought a claim to the Commission to challenge the failure of US courts to hear his claim for compensation for what he had endured. REDRESS argued that the practice of 'extraordinary rendition' constituted a violation of numerous Convention rights, including the right to liberty and security of the person, the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment, the absolute principle of *nonrefoulement*, and the prohibition against enforced disappearance. REDRESS also argued that the application of the 'state secrets' privilege by the US courts in the petitioner's case violates the right to a remedy. We still await the decision of the Commission.
 - During the year, REDRESS also progressed a number of individual petitions before the **African Commission on Human and Peoples' Rights** (regarding torture perpetrated in Sudan, Uganda and Zimbabwe) and before the **UN Human Rights Committee** (regarding torture perpetrated in Cameroon and Nepal).

PUBLIC BENEFIT

From 1 April 2008 section 4 of the Charities Act 2006 requires all charities to meet the legal requirement that its aims are for the public benefit. The Charity Commission in its "Charities and Public Benefit" Guidance states that there are two key principles to be met in order to show that an organisation's aims are for the public benefit: firstly, there must be an identifiable benefit and secondly, that the benefit must be to the public or a section of the public.

The Trustees confirm that they have complied with the duty in section 4 of the Charities Act 2006 to have due regard to public benefit guidance published by the Commission in determining the activities undertaken by the Charity. The Trustees are satisfied that the aims and objectives of the charity, and the activities reported on above to achieve those aims, meet these principles.

OUR PLANS FOR THE FUTURE

Evaluation of our work

During the year, REDRESS had two external evaluations of major programmes of work. In February 2010, REDRESS' **three year programme on the prohibition of torture in 5 countries: Peru, Russia, Sri Lanka, Sudan and Uganda** was evaluated, following the completion of the EU funded programme. A major component of the programme was litigation support for victims of torture, and in this respect, REDRESS' evaluator noted that : 'It is recognized that litigation is a fairly new area of human rights work – arguably representing a new phase in the development of human rights work more broadly, following earlier phases focusing on standard-setting and documentation. REDRESS and its partners are here not only on the right track, but in the driving seat, working at the cutting edge and acting as pioneers.' Further, it was noted that 'All the stakeholders interviewed provided overwhelmingly positive feedback regarding the high quality of the activities and outputs delivered under this project in all five countries, whether in the form of training or other capacity-building initiatives, strategy development, drafting of court submissions, advocacy on legal and policy reform or outreach to policy-makers.'

REDRESS' project entitled '**Strengthening Victims' Participation in the International Criminal Court**', funded by the John D. And Catherine T. MacArthur Foundation, was also independently evaluated during the year. In summary, the evaluator noted that 'REDRESS has implemented its mandate as set out in the Grant Application. Deliverables were met and were of high quality. The Grant Project has already had some tangible impact. Directly due to its activities victims are now participating in proceedings before the International Criminal Court. Similarly, it has already had an impact on the general policy of the Court with respect to victims' participation. It can also be predicted that the Grant Project will have a longer term impact. Most importantly, it has established victims' rights working groups in the affected countries, and facilitated local expertise which will be crucial in future cases before the Court, as well as in promotion of victims rights at the national level.'

Future plans

Trustees and staff had a series of exchanges on REDRESS' mission, mandate and strategies in 2006-2007. As part of this process, we considered our strategies and goals, as well as the external environments in which we work. The vision, mission and strategies of the organisation were clarified, though no fundamental changes were made to our goals and how we achieve them. However, this process made clear the need to:

- maximise the reach of our outputs to stakeholders globally;
- incorporate more directly media and public awareness into our work programmes;
- extend our work with local counterparts;
- maintain a firm stance on the absolute prohibition against torture, and resist and challenge the most recent threats to this fundamental principle.

A three year Strategic Plan was developed in a participatory way with staff and trustees and was adopted by trustees. This plan was intended to clarify REDRESS' programmatic, funding and communications goals, as well as to provide a monitoring and evaluation framework to assist REDRESS to track progress in meeting its objectives and to evaluate on the basis of clear indicators.

The second year of this Strategic Plan ended on 31st March 2010 and trustees had the opportunity to review with staff the progress in meeting the identified organisational goals. Significant progress was noted in meeting each of the programmatic goals and a slightly modified strategic planning framework was adopted at the end of the year. REDRESS intends to conduct an external evaluation of its planning framework at the end of the three year period in 2011.

OUR SUPPORTERS

Funders

REDRESS is indebted for funding this year to:

Austin & Hope Pilkington Trust
Bromley Trust
The Bryan Guinness Charitable Trust
City Parochial Foundation
Department for International Development (DFID)
EC EIDHR programme
EC Fundamental Rights and Justice (Criminal Justice) programme
Foreign and Commonwealth Office-Sudan
Freshfields Bruckhaus Deringer LLP
John D. and Catherine T. MacArthur Foundation
Joseph Rowntree Charitable Trust (Power and Responsibility Programme)
Oak Foundation
Oxfam Novib Netherlands
Sigrid Rausing Trust
Sir Jeremiah Coleman Gift Trust
UN Voluntary Fund for Victims of Torture
VCEP

Many of our funders, such as the Bromley Trust, the European Commission, the MacArthur Foundation and the UN Voluntary Fund for Victims of Torture have continued to support REDRESS for many years, and their commitment to the organisation and its aims has been very important to REDRESS' stability and success. New funders in the year included Sigrid Rausing Trust and Foreign and Commonwealth Office - Sudan. We are especially grateful to them for their interest in our work.

We are also very grateful to the many individuals who supported our work this year. This year, we have received £12,308 (2009 - £14,237) from individual donations, many from long-term supporters of the organisation, some from newer contacts and as a result of sporting and other events. REDRESS supporters raised a record sum through marathons and other sporting events. This helped draw wider attention to our cause and raised key resources for our work. Thanks to Adrian Hicks, Louise Jackson, Nicholas Goulds, Francis Fitzgibbon and Katie Wepplo for running for us in the London Marathon 2009 and to all who took part in the British 10k and other sporting events.

Volunteers, interns and other supporters

The Trustees would also like to record their appreciation of the many volunteers who willingly gave their time to the benefit of the charity. This year, REDRESS' volunteers provided invaluable support to all of our programme areas. REDRESS has been fortunate to host a range of interns and volunteers from many countries, who have contributed substantially to our work.

Special thanks are due to civil society partners in Sudan, the members of our Sudan Law Reform Advisory Committee, Hala al-Karib of SIHA, Dr. Onder Ozkalipci of the International Rehabilitation Council for Torture Victims and Dishad Husain. We are also very grateful to Daisy Johnson and Sinthujaah Suntharmoorthy who provided invaluable all around support.

Many of REDRESS' legal interns and volunteers come from international law programmes at leading universities in the UK and abroad. These graduates have worked with us on legal applications on behalf of victims of torture and related crimes and on complex legal research for reports and advocacy initiatives played a central role in our legal applications. Interns tend to stay with REDRESS from 3-6 months, usually on a part-time basis, and work integrally with the staff. Thank you to Kara Allen, Sarah-Jane Boulos, Jennifer Castello; Jennifer Chen, Elham Fakhro, Baptiste Faure, Laila Fatih, Elham Geranmayeh, Caitin Gregg, Justin Haccius, Carla Hoe, Jehangir Jilani,

Melissa Joyce, Ghalib Lone, Melissa Messchaert, Claire Morris, Dominique Mystris, Natalie Parkinson, Anne Perrot, Fahad Siddiqui, Imran Sultan, Yele Towry-Coker.

We would also like to warmly thank the professors and students who collaborated with REDRESS through a number of clinical and related human rights programmes including Dr. Clara Sandoval Villalba and colleagues from the Essex School of Law and Human Rights Centre; Professor Lynn Welchman and colleagues from the School of Oriental and African Studies Human Rights Clinic; Professor Deena Hurwitz of the University of Virginia School of Law International Human Rights Law Clinic. We would also like to thank Anthea Roberts from the London School of Economics.

Support from the legal community

We would also like to make special mention of the numerous law firms, barristers and solicitors that have supported our work over the year. In particular, we are very grateful to Allen & Overy LLP, Freshfields Bruckhaus Deringer; Leigh Day & co; Wilson Solicitors LLP; Bindmans & partners; and the various barristers at Doughty St Chambers that have lent their support to REDRESS.

STRUCTURE, GOVERNANCE AND MANAGEMENT

The Board of Trustees confirms that the annual report and financial statements of the charity comply with current statutory requirements, the requirements of the charity's governing document and the provisions of the Statement of Recommended Practice (SORP) "Accounting and Reporting by Charities" issued in March 2005.

The charity may by Ordinary Resolution in General Meeting appoint any person who is willing to act to be a Trustee, either to fill a vacancy or as an additional Trustee. At every third Annual General Meeting thereafter all the Trustees shall retire from office. Retiring Trustees are eligible for re-election. Trustees are recruited personally by existing members for their legal knowledge, experience of and interest in the charity's work.

The Board of Trustees is responsible, *inter alia*, for setting and overseeing the overall direction, policies and finances of the charity. It has the power from time to time to adopt and make, alter or revoke, bye-laws for the regulation of the charity and otherwise for the purposes for which the charity is established, so long as such bye-laws are consistent with the Memorandum or Articles of Association. The Director is responsible for the day-to-day management of the charity and execution of policies and practices set by the Board of Trustees. There have been no changes in the objectives since the last annual report. REDRESS plans to continue the activities as outlined above in the forthcoming years subject to satisfactory funding arrangements.

Induction and Training of Trustees

Trustees receive an induction programme which involves meetings with all of the charity's staff and consultants and is intended to inform them of the charity's work and objectives.

FINANCIAL REVIEW

Financial performance

The charity had net outgoing resources on unrestricted funds of £18,058 for the year (2009 incoming resources - £62,463) before transfers. A transfer of £42,843 was made from unrestricted to restricted funds. This is explained in Note 11. Together with the accumulated surplus brought forward from previous years, the charity now has an accumulated surplus on unrestricted funds of £192,190 (2009 - £253,091). Restricted funds carried forward at 31 March 2010 amounted to £279,909 (2009 - £210,751), following net incoming resources for the year of £26,315 (2009 outgoing resources - £209,529). The funds carried forward are sufficient for the activities for which the funds were provided. Within this figure is a restricted fund in deficit, as explained in Note 11.

The Trustees' efforts in developing and implementing the charity's fundraising strategy during the year resulted in growth in total income. This year the charity received £90,284 from VCEP, the second part of a 2 year unrestricted grant totalling \$300,000, which has enabled the charity to continue the employment of a full-time Development Director who has continued to develop the fundraising strategy.

The Trustees have also carefully addressed the complementarities of the charity's work with other national and international organisations to assure donors that funding contributes the maximum impact to a co-ordinated approach to the charity's overall goals.

Reserves policy

REDRESS holds Reserves for a number of reasons:

- To provide funding to continue existing projects when restricted grants expire whilst replacement funding is sought;
- To enable REDRESS to initiate projects which can demonstrate to a funder a need for support;
- To invest in future income generation;
- To cover any unforeseen expenditure; and
- To provide cashflow support for Restricted Grant Income paid in arrears.

At the year end REDRESS had Reserves of £172,637 (2009 - £243,761), calculated as the total value of Unrestricted Funds less the value of Fixed Assets which are not immediately realisable for use under the Reserves Policy. The Trustees calculate that REDRESS requires a range of Reserves of between £104,000 and £290,000. The current Reserves fall within that range and are sufficient for the charity's requirements.

The Trustees expect to invest some of the Reserves in income generation during the next Financial Year. The Trustees aim to build the Reserves level towards the top of the range until future intentions are clearer.

The Trustees review the organisational Budget regularly during the Financial Year and will review the Reserves Policy annually as part of this process.

Risk management

The Trustees had identified the main risks are (i) not meeting fundraising targets and (ii) ensuring that funders' accountability requirements continue to be met. Following the receipt of the legacy and the achievement of the Director in generating grant funding for the next three years, the Trustees are reviewing their risk management policy to ensure that it takes into account that these financial risks to the charity have been reduced and recognises the management systems already in place to deal with operational and decision-making risk.

STATEMENT OF THE BOARD OF TRUSTEES' RESPONSIBILITIES

The Trustees are responsible for preparing the Annual Report and the financial statements in accordance with applicable law and regulations.

Company and charity law require the Trustees to prepare financial statements for each financial year. Under those laws the Trustees have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). The financial statements are required by law to give a true and fair view of the state of affairs of the charitable company and of its incoming resources and application of resources, including its income and expenditure, for that period. In preparing these financial statements, the Trustees are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue in business.

The Trustees are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the charitable company and to enable them to ensure that the financial statements comply with the Companies Act 1985. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

So far as each of the Trustees is aware at the time the report is approved:

- there is no relevant audit information of which the charitable company's auditors are unaware; and
- the Trustees have taken all steps that they ought to have taken to make themselves aware of any relevant audit information and to establish that the auditors are aware of that information.

Events since the end of the year

In the opinion of the Board of Trustees no event since the balance sheet date significantly affects the company's financial position.

Auditors

The auditors, haysmacintyre, will be proposed for reappointment in accordance with section 485 of the Companies Act 2006.

This report was approved by the Board of Trustees on and signed on its behalf by:

Sir Emyr Jones Parry GCMG, PhD, FInstP
Chair of the Board of Trustees

7th July 2010

Independent auditor's report to the members of The Redress Trust

We have audited the financial statements of The Redress Trust for the year ended 31 March 2010 which comprise the Statement of Financial Activities, the Balance Sheet, and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice) and the requirements of the Financial Reporting Standard for Smaller Entities (effective April 2008).

This report is made solely to the charitable company's members, as a body, in accordance with Section 495 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the charitable company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charitable company and the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of Trustees and auditors

The Trustees', who are also the directors of the company for the purposes of company law, responsibilities for preparing the Annual Report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice) and for being satisfied that the financial statements give a true and fair view are set out in the Statement of Trustees' Responsibilities.

Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view, have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice, and have been prepared in accordance with the Companies Act 2006. We also report to you whether in our opinion the information given in the Trustees' Report is consistent with those financial statements. In addition we report to you if, in our opinion, the charitable company has not kept adequate accounting records, if the charitable company's financial statements are not in agreement with the accounting records and returns, if we have not received all the information and explanations we require for our audit, or if certain disclosures of trustees' remuneration specified by law are not made.

We read the Trustees' Report and consider the implications for our report if we become aware of any apparent misstatements within it.

Basis of audit opinion

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the trustees in the preparation of the financial statements, and of whether the accounting policies are appropriate to the charitable company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In

Independent auditor's report to the members of The Redress Trust (continued)

forming our opinion we also evaluated the overall adequacy of the presentation of Information in the financial statements.

Opinion

In our opinion

- the financial statements give a true and fair view of the state of the charity's affairs as at 31 March 2010 and of its incoming resources and application of resources, including its income and expenditure, for the year then ended;
- the financial statements have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice applicable to Smaller Entities;
- the financial statements have been prepared in accordance with the Companies Act 2006; and
- the information given in the Trustee' Report is consistent with the financial statements.

Murtaza Jessa (Senior Statutory Auditor)
for and on behalf of haysmacintyre, Statutory Auditors

Fairfax House
15 Fulwood Place
London
WC1V 6AY

[Date]

Statement of Financial Activities for the year ended 31st March 2010 (incorporating the Income & Expenditure account)

| | Note | Unrestricted Funds £ | Restricted Funds £ | Total 2010 £ | Total 2009 £ |
|--|------|-------------------------|-----------------------|--------------------|--------------------|
| Incoming resources | | | | | |
| <i>Incoming resources from generated funds</i> | | | | | |
| Voluntary income: | | | | | |
| Donations | | 167,740 | - | 167,740 | 170,909 |
| Legacies | | - | - | - | 4 |
| Investment Income | | 1,585 | - | 1,585 | 10,999 |
| <i>Incoming resources from charitable activities</i> | | | | | |
| 2 | | | | | |
| Grants receivable: | | | | | |
| Casework | | - | 130,712 | 130,712 | 278,301 |
| Working in Post-Conflict Contexts | | - | 258,783 | 258,783 | 107,045 |
| Promoting International Standards | | - | 286,266 | 286,266 | 29,890 |
| Influencing National Standards and Practice | | - | 27,378 | 27,378 | 73,817 |
| Training and other income | | 2,467 | - | 2,467 | 15,403 |
| Total incoming resources | | 171,792 | 703,139 | 874,931 | 686,368 |
| Resources expended | | | | | |
| <i>Costs of generating funds</i> | | | | | |
| Costs of generating voluntary income | | 27,850 | - | 27,850 | 27,258 |
| <i>Charitable activities</i> | | | | | |
| 3 | | | | | |
| Casework | | 61,190 | 265,209 | 326,399 | 356,881 |
| Working in Post-Conflict Contexts | | 36,663 | 158,907 | 195,570 | 169,759 |
| Promoting International Standards | | 33,556 | 145,438 | 178,994 | 88,145 |
| Influencing National Standards and Practice | | 24,750 | 107,270 | 132,020 | 186,146 |
| Training and other Expenditure | | - | - | - | - |
| Governance | 4 | 5,841 | - | 5,841 | 5,245 |
| Total charitable activities | | 162,000 | 676,824 | 838,824 | 806,176 |
| Total resources expended | | 189,850 | 676,824 | 866,674 | 833,434 |
| Net Incoming/(outgoing) resources before transfers | 5 | (18,058) | 26,315 | 8,257 | (147,066) |
| Transfers between funds | | (42,843) | 42,843 | - | - |
| Net income/(expenditure) for the year after transfers | | (60,901) | 69,158 | 8,257 | (142,066) |
| Fund balances brought forward at 1 st April 2009 | | 253,091 | 210,751 | 463,842 | 610,908 |
| Fund balances carried forward at 31st March 2010 | | 192,190 | 279,909 | 472,099 | 463,842 |

There were no recognised gains and losses for 2010 or 2009 other than those included in the statement of financial activities. All the above results are derived from continuing activities. The notes on pages 26 to 33 form part of these financial statements.

Balance Sheet as at 31st March 2010

Company number: 2774071

| | Note | £ | 2010 £ | £ | 2009 £ |
|---|------|----------------|-----------------------|----------------|-----------------------|
| FIXED ASSETS | | | | | |
| Tangible fixed assets | 7 | | 19,553 | | 9,330 |
| CURRENT ASSETS | | | | | |
| Debtors | 8 | 147,959 | | 50,360 | |
| Cash at bank and in hand | | 379,765 | | 458,727 | |
| Total current assets | | <u>527,724</u> | | <u>509,087</u> | |
| CREDITORS: falling due within one year | 9 | (75,178) | | (54,575) | |
| NET CURRENT ASSETS | | | <u>452,546</u> | | <u>454,512</u> |
| NET ASSETS | | | <u>472,099</u> | | <u>463,842</u> |
| REPRESENTED BY: | | | | | |
| | 11 | | | | |
| Restricted funds | | | 279,909 | | 210,751 |
| Unrestricted funds | | | 192,190 | | 253,091 |
| | | | <u>472,099</u> | | <u>463,842</u> |

The financial statements have been prepared in accordance with the special provisions relating to companies subject to the small companies regime within Part 15 of the Companies Act 2006 and in accordance with the Financial Reporting Standard for Smaller Entities (effective April 2008).

The financial statements were approved and authorised for issue by the Board of Trustees on 7th July 2010 and signed on its behalf by:

Sir Emyr Jones Parry GCMG, PhD, FInstP
Chair
7th July 2010

The notes on pages 26 to 33 form part of these financial statements.

Notes to the Financial Statements for the year ended 31st March 2010

1. ACCOUNTING POLICIES

A summary of the principal accounting policies, all of which have been applied consistently throughout the year and with the preceding year, is set out below:

Basis of preparation of financial statements

The financial statements have been prepared under the historical cost convention, on the going concern basis and in accordance with the Statement of Recommended Practice (SORP) "Accounting and Reporting by Charities" issued in March 2005 and with applicable accounting standards. The financial statements include the results of the charity's operations which are described in the Board of Trustees' Report and all of which are continuing.

The charity has taken advantage of the exemption in Financial Reporting Standard No. 1 from the requirement to produce a cash flow statement on the grounds that it is a small company.

Company status

The charity is a company limited by guarantee. The members of the company are the Board of Trustees named on Page 34. In the event of the charity being wound up, the liability in respect of the guarantee is limited to £10 per member of the charity.

Fund accounting

General funds are unrestricted funds which are available for use at the discretion of the Board of Trustees' in furtherance of the general objectives of the charity and which have not been designated for other purposes.

Restricted funds are funds that are to be used in accordance with specific restrictions imposed by the donors, which have been raised by the charity for particular purposes. The aim and use of each restricted fund is set out in the notes to the financial statements.

Investment income, gains and losses are allocated to the appropriate fund.

Incoming resources

All incoming resources are included in the Statement of Financial Activities when the charity is legally entitled to the income and the amount can be quantified with reasonable accuracy.

Resources expended

All expenditure is accounted for on an accruals basis and has been included under expense categories that aggregate all costs for allocation to activities. Where costs cannot be directly attributed to particular activities they have been allocated using the ACEVO Full Cost Recovery Model.

Governance costs are those not attributable to direct expenditure and have been incurred in ensuring compliance with constitutional and statutory requirements.

Tangible fixed assets and depreciation

Assets acquired for the long-term use of the charity and having an initial cost or valuation of £250 or more are capitalised as tangible fixed assets. Tangible fixed assets are stated at cost or valuation less depreciation. Depreciation is provided at rates calculated to write off the cost or valuation of fixed assets, less their estimated residual value, over their expected useful lives on the following bases:

| | | | |
|---------------------|---|---------|---------------|
| Office equipment- | | 4 years | Straight line |
| Fixtures & fittings | - | 6 years | Straight line |

Notes to the Financial Statements for the year ended 31st March 2010

Foreign currencies

Assets and liabilities in foreign currencies are translated into sterling at the rates of exchange ruling at the balance sheet date. Transactions in foreign currencies are translated into sterling at the rate ruling on the date of the transaction. Exchange differences are taken into account in arriving at the operating surplus.

Pensions

The charity operates a defined contribution pension policy and the pension charge represents the amounts payable by the charity to funds established by individuals in respect of the year.

Taxation

The charity is exempt from income tax and corporation tax on its charitable activities. The charity is not registered for VAT and is unable to recover VAT on its purchases. All irrecoverable VAT is included within the appropriate headings.

2. INCOMING RESOURCES FROM CHARITABLE ACTIVITIES

| | Unrestricted Funds | Restricted Funds | Total Funds 2010 | Total Funds 2009 |
|--|-----------------------|---------------------|------------------------|------------------------|
| | £ | £ | £ | £ |
| <i>Casework</i> | | | | |
| EC EIDHR | - | 53,426 | 53,426 | 201,692 |
| UN Voluntary Fund for Victims of Torture | - | 54,786 | 54,786 | 52,109 |
| City Parochial Foundation | - | 22,500 | 22,500 | 15,000 |
| The Bryan Guinness Charitable Trust | - | - | - | 1,500 |
| Humanade | - | - | - | 8,000 |
| <i>Working in Post-Conflict Contexts</i> | | | | |
| Dept for International Development | - | 90,878 | 90,878 | 107,045 |
| Oak Foundation | - | 123,500 | 123,500 | - |
| Foreign & Commonwealth Office | - | 44,405 | 44,405 | - |
| <i>Promoting International Standards</i> | | | | |
| John D. and Catherine T. Macarthur Foundation | - | 135,853 | 135,853 | 25,721 |
| The Sigrid Rausing Trust | - | 80,000 | 80,000 | - |
| Oxfam Novib | - | 66,366 | 66,366 | - |
| A&H Pilkington Trust | - | - | - | 3,000 |
| Other | - | 4,047 | 4,047 | 1,169 |
| <i>Influencing National Standards and Practice</i> | | | | |
| Oxfam Novib | - | - | - | 39,961 |
| Joseph Rowntree Charitable Trust | - | 19,758 | 19,758 | 26,344 |
| EC EIDHR Nepal | - | 7,526 | 7,526 | 7,512 |
| EC Fund'l Rights & Justice Programme | - | 94 | 94 | - |
| <i>Training & Consultancy</i> | 2,467 | - | 2,467 | 15,403 |
| | 2,467 | 703,139 | 705,606 | 504,456 |

Notes to the Financial Statements for the year ended 31st March 2010

3. TOTAL RESOURCES EXPENDED

| | Staff Costs £ | Other Costs £ | Apportioned Support Costs £ | Total 2010 £ | Total 2009 £ |
|---|---------------------|---------------------|-----------------------------------|--------------------|--------------------|
| Costs of generating funds | 21,287 | 1,342 | 5,221 | 27,850 | 27,258 |
| Charitable activities | | | | | |
| Casework | 116,068 | 149,141 | 61,190 | 326,399 | 356,881 |
| Working in Post-Conflict Contexts | 106,265 | 52,642 | 36,663 | 195,570 | 169,759 |
| Promoting International Standards | 123,421 | 22,017 | 33,556 | 178,994 | 88,145 |
| Influencing National Standards and Practice | 66,161 | 41,109 | 24,750 | 132,020 | 186,146 |
| Training and other Expenditure | - | - | - | - | - |
| Governance | - | 4,746 | 1,095 | 5,841 | 5,245 |
| Total | 433,202 | 270,997 | 162,475 | 866,674 | 833,434 |

Apportioned support costs include the following costs, allocated to activities using the ACEVO Full Cost Recovery model:

| Cost pool | 2010 £ | 2009 £ |
|----------------------|----------------|----------------|
| Staff costs | 108,077 | 83,801 |
| Casework costs | 13,645 | 7,139 |
| Communications costs | 3,647 | 3,083 |
| Office costs | 21,961 | 7,694 |
| Premises costs | 15,145 | 4,733 |
| Total | 162,475 | 106,450 |

4. GOVERNANCE COSTS

Governance costs include:

| | 2010 £ | 2009 £ |
|-----------------------|--------------|--------------|
| Legal costs | 123 | 1,471 |
| Relocation costs | - | 378 |
| Audit and accountancy | 4,623 | 2,235 |
| Other | - | 500 |
| | 4,746 | 4,583 |

Audit and accountancy costs are charged to Restricted Funds where allowed.

Notes to the Financial Statements for the year ended 31st March 2010

5. NET INCOMING/ (OUTGOING) RESOURCES

Net incoming/(outgoing) resources are stated after charging:

| | 2010 £ | 2009 £ |
|---------------------------------------|---------------|---------------|
| Depreciation of tangible fixed assets | 6,594 | 3,373 |
| Auditors remuneration | | |
| Audit services | 6,462 | 6,152 |
| Over provision | 881 | - |
| Other services | - | 1,438 |
| Operating leases | 22,506 | 22,506 |
| | <u>36,443</u> | <u>33,469</u> |

Audit services costs totalling £2,720 (2009 - £3,918) have been charged to Charitable Activities (see Note 3 above) where they are covered by Restricted grants.

6. STAFF COSTS

| | 2010 £ | 2009 £ |
|--|----------------|----------------|
| Wages and salaries | 328,069 | 301,405 |
| Social security costs | 33,102 | 33,962 |
| Pension and other costs | 40,859 | 31,669 |
| Temporary, contract and non-UK staff costs | 139,248 | 145,409 |
| | <u>541,278</u> | <u>512,445</u> |

No employee received remuneration exceeding £60,000 in the year (2009 nil).

The non-UK staff costs include staff employed by partner organisations working to implement projects and not directly by the charity.

The average monthly number of employees during the year was as follows:

| | 2010 | 2009 |
|---------------|-----------|----------|
| Project staff | 8 | 6 |
| Support staff | 4 | 3 |
| | <u>12</u> | <u>9</u> |

No trustees (2009 nil) received any remuneration in respect of their role as trustees. One trustee (2009: one) claimed reimbursement of £130 expenses (2009: £86) during the year.

Notes to the Financial Statements for the year ended 31st March 2010

7. TANGIBLE FIXED ASSETS

| | Office Equipment £ | Fixtures & Fittings £ | Total £ |
|--------------------------------|--------------------------|-----------------------------|---------------|
| Cost | | | |
| At 1 st April 2009 | 25,837 | 5,426 | 31,263 |
| Additions | 16,816 | - | 16,816 |
| Disposals | - | - | - |
| At 31 st March 2010 | <u>42,653</u> | <u>5,426</u> | <u>48,079</u> |
| Depreciation | | | |
| At 1 st April 2009 | 17,411 | 4,522 | 21,933 |
| Charge for the year | 6,318 | 275 | 6,593 |
| Disposals | - | - | - |
| At 31 st March 2010 | <u>23,729</u> | <u>4,797</u> | <u>28,526</u> |
| Net Book Value | | | |
| At 31 st March 2010 | <u>18,924</u> | <u>629</u> | <u>19,553</u> |
| At 31 st March 2009 | <u>8,426</u> | <u>904</u> | <u>9,330</u> |

8. DEBTORS

| | 2010 £ | 2009 £ |
|---|----------------|---------------|
| Due within one year | | |
| Grants receivable | 84,901 | 17,885 |
| Other debtors | 6,400 | 12,285 |
| Advances to partners under Grant agreements | 55,286 | 18,582 |
| Prepayments | 1,372 | 916 |
| Accrued income | - | 692 |
| | <u>147,959</u> | <u>50,360</u> |

9. CREDITORS

| | 2010 £ | 2009 £ |
|--|---------------|---------------|
| Amounts falling due within one year | | |
| Trade creditors | 49,575 | 22,338 |
| Accruals | 6,462 | 7,000 |
| Social security and other taxes | 10,295 | 22,774 |
| Other creditors | 8,846 | 2,463 |
| | <u>75,178</u> | <u>54,575</u> |

Notes to the Financial Statements for the year ended 31st March 2010

10. FUND MOVEMENTS

The funds of the charity include restricted funds comprising the unexpended balances of donations and grants, as set out below, held on trusts to be applied for the following purposes:

Casework

This programme supports the charity's casework. The charity's main programme, it is supported by the EC, the UN Voluntary Fund for Victims of Torture, the City Parochial Foundation and Humanade.

Working in Post-Conflict Contexts

This programme supports the charity's work in conflict areas such as Rwanda, Sudan and Uganda. The Department for International Development and the Oak Foundation have funded this work.

Promoting International standards of justice that reflect the rights of survivors to effective participation and redress

This programme supports the charity's work to increase victims' participation and access to the International Criminal Court and other regional courts and tribunals where they may obtain reparation and redress. It also supports the organisation's work in international standard-setting before these and other international bodies. The John D. and Catherine T. MacArthur Foundation and the A&H Pilkington Trust have funded the work this year.

Influencing National standards and practices that reflect torture survivors' rights in practice

This programme supports the charity's work to ensure that national laws and institutions reflect international law standards and survivor's rights. It includes the organisation's policy, advocacy and capacity building work in the United Kingdom and in a range of countries worldwide. It also includes the organisation's specialised work with European Union Member States in which the organisation is working within the regional institutional framework to affect change in the policies and practices of Member States. The Joseph Rowntree Charitable Trust, EC Fundamental Rights & Justice Programme and Oxfam Novib have funded this work.

| | Balance 1st April 2009 £ | Incoming Resources £ | Resources Expended £ | Transfers Between Funds £ | Balance 31st March 2010 £ |
|---|--|-------------------------------------|-------------------------------------|--|---|
| Restricted funds | | | | | |
| Casework | 141,315 | 130,712 | (265,209) | 42,806 | 49,624 |
| Working in Post-Conflict Contexts | (18,234) | 258,783 | (158,907) | - | 81,642 |
| Promoting International Standards | 14,880 | 286,266 | (145,438) | - | 155,708 |
| Influencing National Standards and Practice | 72,790 | 27,378 | (107,270) | 37 | (7,065) |
| Total restricted funds | 210,751 | 703,139 | (676,824) | 42,843 | 279,909 |
| Unrestricted funds | | | | | |
| Designated fund - VCEP | 38,727 | 90,284 | (107,166) | - | 21,845 |
| General fund | 214,364 | 81,508 | (82,684) | (42,843) | 170,345 |
| Total unrestricted funds | 253,091 | 171,792 | (189,850) | (42,843) | 192,190 |
| Total funds | 463,842 | 874,931 | (866,674) | - | 472,099 |

Notes to the Financial Statements for the year ended 31st March 2010

Restricted funds in deficit

A Fund representing a contract with the European Commission (for EU Responses to Serious International Crimes) is payable in arrears. At the reporting date expenditure of £11,411 (2009 - nil) had been incurred but was not yet due for reimbursement.

Designated Fund

The Trustees have designated the 2 year funding from VCEP as a fund to support development of the charity. The fund will have total income of \$300,000 and will be spent by August 2010 in accordance with the grant conditions. Other than this time restriction, the grant is unrestricted.

Transfers between funds

A transfer of £42,843 was made from unrestricted to restricted funds. The European Commission (European Instrument for Democracy and Human Rights) awarded a grant for casework that required match funding. £42,803 represents the contribution from unrestricted funds towards this project, which has now ended. The remaining £37 covers excess costs on a completed European Commission AGIS project

11. ANALYSIS OF NET ASSETS BETWEEN FUNDS

| | Unrestricted Funds | Restricted Funds | Total Funds 31st March 2010 | <i>Total Funds 31st March 2009</i> |
|--|-------------------------------|-----------------------------|---|---|
| | £ | £ | £ | £ |
| Fund balances at 31 st March 2010 are represented by: | | | | |
| Tangible fixed assets | 19,553 | - | 19,553 | 9,330 |
| Current assets | 218,195 | 309,529 | 527,724 | 509,087 |
| Current liabilities | (45,558) | (29,620) | (75,178) | (54,575) |
| | <u>192,190</u> | <u>279,909</u> | <u>472,099</u> | <u>463,842</u> |

12. CAPITAL COMMITMENTS AND CONTINGENT LIABILITIES

At the end of the period there were no capital commitments or other financial commitments for which full provision has not been made in these financial statements (2009 nil).

13. OPERATING LEASES

Operating lease rentals of £22,506 (2009 £22,503) were payable in respect of properties and equipment held under leases in the year. In the coming year, the charity is committed to paying the following amounts in respect of operating leases, expiring:

| | Land and buildings | | Other | |
|------------------------|---------------------------|---------------|--------------|-------------|
| | 2010 | <i>2009</i> | 2010 | <i>2009</i> |
| | £ | £ | £ | £ |
| From one to five years | <u>22,506</u> | <u>22,503</u> | <u>-</u> | <u>-</u> |

Notes to the Financial Statements for the year ended 31st March 2010

14. PENSION SCHEMES

The charity operates a defined contribution policy in respect of its employees. Individuals are encouraged to establish their own schemes to which the charity contributes. Pension contributions for four members of staff have been accrued for the year pending establishment of schemes for those individuals.

15. REDRESS TRUST (USA)

The Redress Trust Limited was incorporated as a Not-for-Profit Corporation in the State of New York on 27th June 1995, (Number 13-4028661). The Internal Revenue Service determined on 22nd October 1999 that The Redress Trust Limited (USA) is exempt from federal income tax under Section 501(a) of the Internal Revenue Code as an organisation under Section 501 (c) (3).

The Board of Directors consists of:-

Professor Michael Bazylar (USA), Chair
Stephanie Deckrosh (USA)
Professor Naomi Roht-Arriaza (USA)
Professor David Weissbrodt (USA)

IN MEMORIAM

REDRESS mourns the loss of our beloved colleague and friend Abdelsalam Hassan Abdelsalam who tragically died in London on 13 March 2010.

Abdelsalam Hassan, Sudan Legal Advisor at REDRESS, was a renowned lawyer and intellectual who played a leading role in the struggle for human rights and justice in Sudan over the last three decades. We will greatly miss his depth of knowledge and commitment and the conviviality with which he enriched our daily lives.

What made Abdelsalam stand out was his commitment, unique intellect and analytical skills as well as, perhaps more than anything, his ability to communicate. This ability stemmed from a love for language, particularly Arabic, and a keen interest in people. He was concerned about how people treated each other and had a genuine abhorrence of violence (including against animals as he was a vegetarian) and any form of injustice. His views and attitudes were based on years of study, active participation in political life (for which he spent a brief stint in prison in the 1980s), reflections and continuous conversations with a great many individuals. They were also deepened by his often painful experiences of, and in exile. This trajectory enabled him to develop a sense of, and empathy for the suffering of others, especially those at the margins of society. It is no coincidence that Abdelsalam took such a strong interest in the rights of women, of Southerners in Sudan or the Christian Copts. His knowledge of history and appreciation of the strength of feeling that human rights violations entail was evident when we were in the Nuba Mountains in Sudan a few years ago. He knew how to relate to people, many of whom started to talk for the first time publicly about what they had suffered in the 1990s. It is for these reasons that Abdelsalam was at the forefront of those calling for, and working on how to address the legacy of violations. "The Phoenix State: Civil society and the future of Sudan" that he co-edited with Alex de Waal in 2001 is a milestone for transitional justice in the Sudan.

Abdelsalam was an excellent lawyer, being able to distil the essence of a case and to develop the arguments that mattered. More importantly, he was a lawyer who had a strong commitment to the rule of law and democratic values, which he fought for during the final days of the Nimerie regime and the transitional period in the 1980s in Sudan and from outside since. In this endeavour, he developed a unique ability to bridge the gap between the older and younger generation of lawyers and activists in Sudan who he interacted with and brought together.

Abdelsalam was also a formidable political analyst. His analysis of Islamism and of Jihad in Sudan, published as chapters in a book edited by Alex de Waal, Islamism and its Enemies in the Horn of Africa, are among the finest, if not the best of their kind on the subject. His interest in history, admiration for Egypt (as a country not necessarily its politics), appreciation of the ambiguous role of the British, and an in-depth knowledge of both political theory (in particular the left) and Islam meant that he had gained a unique understanding of Sudanese politics. It was in particular his detailed knowledge of the Koran and Islam that was a source of surprise to many who knew him as an atheist.

Abdelsalam's first love was literature. He was an avid reader with a fine appreciation of a range of different types of literature, and wrote short stories and poetry himself. On a personal level, Abdelsalam was great company to be and to work with. He had an amiable and jovial personality and would lighten up our office life with his presence. He cared about his colleagues and friends and sought to help as much as possible, in particular by trying to cheer others up even when he had problems of his own.

Just prior to his death, he had just returned from an expert seminar on criminal law reform and human rights in Sudan that we organised in Kampala in early March. Abdelsalam was in high spirits and full of plans for our future work on law reform and litigation in Sudan and with the Sudanese human rights movement that he was such an integral part of. Abdelsalam's death is a great and keenly felt loss for the Sudanese and international human rights community whose spirit he embodied like few others.

WHO'S WHO AT REDRESS

Board of Trustees

Sir Emyr Jones Parry GCMG (Chair)
Michael Birnbaum QC
Professor Bill Bowring
Dr Sherman Carroll PhD, MBE (Hon.) (appointed 28 October 2009)
Sir Robin Christopher KCMG
Paul Garlick QC (resigned 1 December 2009)
Leah Levin OBE
Suzanne McKie (resigned 30 June 2009)
Frances Pinter PhD
Jennifer White (Hon. Treasurer)

Staff

| | |
|---------------------------|---|
| Carla Ferstman | Director and Company Secretary |
| Roree Krevolin | Development Director |
| Helen Dickinson | Administrator |
| Mariana Goetz | ICC Programme Advisor |
| Kevin Laue | Legal Advisor |
| Lorna McGregor | International Legal Advisor |
| Lutz Oette | National Implementation and Capacity Building Advisor |
| Asa Rydberg van der Sluis | Project Coordinator (based in Brussels) |
| Lucy Moxham | Caseworker |
| Juergen Schurr | Legal Advisor |
| Gaelle Carayon | ICC Programme Officer |
| Michelle Willis | Head of Finance |
| Makuta Kamara | Finance Assistant |
| Catherine Wood | Finance Consultant |

Auditors

haysmacintyre
Fairfax House
15 Fulwood Place
London, WC1V 6AY

Bankers

| | |
|--------------------|------------------------|
| Unity Trust Bank | Royal Bank of Scotland |
| Nine Brindleyplace | High Holborn Branch |
| Birmingham B1 2HB | London, WC1V 6PQ |

Patrons

The Rt Hon the Lord Archer of Sandwell QC
Professor Michael Bazylar
The Rt Hon the Lord Crickhowell
Dato' Param Cumaraswamy
François de Vargas
The Dowager Countess of Dundonald
Anthony Foulger
The Rt Hon the Viscount Gage
Sandy Gall CBE
Inge Genefke MD, D.M.Sc.h.c.
The Rt Hon the Earl of Haddington
Judge Roslyn Higgins DBE QC
The Rt Hon the Lord Judd
The Rt Hon the Lord Lester of Herne Hill QC
Ms Caroline Moorehead CBE
The Rt Rev Richard D Harries of Pentregarth

The Hon Lord Prosser
The Rt Hon the Lord Richard QC
Professor Dinah Shelton
John Simpson CBE
Professor Theo van Boven
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Professor Graham Zellick

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Professor Kevin Boyle
Owen Davies QC
Joanna Glynn QC
Professor David Harris CMG
Professor Geraldine Van Bueren
Professor David Weissbrodt

PUBLICATIONS THIS YEAR

- April 2010 The Impact of the Rome Statute System on Victims and Affected Communities
- March 2010 Comments to the Trust Fund for Victims on the Progressive Realisation of its Mandate
- February 2010 Comments on the OTP Policy Paper on Victims' Participation Under Art. 68(3) of the ICC Statute
- January 2010 Briefing to Parliamentarians to oppose the Attorney General interfering with the arrest warrant procedure
- December 2009 Goma Declaration on Sexual Violence
- December 2009 Ending Threats and Reprisals Against Victims of Torture and Related International Crimes - A Call to Action
- December 2009 Rehabilitation As A Form of Reparation Under International Law
- November 2009 Victims' central role in fulfilling the ICC's mandate
- November 2009 Considering Reparations for Victims of the Khmer Rouge Regime
- October 2009 Meeting the Needs of Torture Survivors in the UK: Considering UK policy and practice on refugees and asylum seekers who have suffered torture
- October 2009 Submission to the Committee against Torture on Nepal
- August 2009 Submission to the Special Rapporteur on Torture regarding Nepal
- August 2009 Open Letter to US Attorney General Holder
- July 2009 Submission to the UN Special Rapporteur on Violence against Women Regarding the Situation in Peru
- May 2009 Open letter to the UK Government on Rwanda Genocide
- April 2009 Reparations for Victims of Genocide, War Crimes and Crimes against Humanity: Systems in Place and Systems in the Making
- April 2009 Letter to the Council Africa Working Group Re: The AU-EU Expert Report on the principle of Universal Jurisdiction
- April 2009 Observations to the Committee against Torture in Consideration of Chile's Fifth Period Report