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INTERNATIONAL FEDERATION OF ACTION BY CHRISTIANS FOR THE ABOLITION OF TORTURE
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Throughout 2014, FIACAT has supported the ACATS, helping them to have a genuine influence on changes in their respective countries. By making it easier for them to access the human rights protection mechanisms of international and regional organisations and by offering training in working with these institutions, FIACAT enables the ACATS to become active members of civil society in their own countries. This year, FIACAT and its members have denounced human rights violations, lobbied for the ratification of international legal instruments and contributed to the drafting of national laws which better protect the rights of individuals.

At a time when the indivisibility of human rights is frequently flouted, their universality regularly called into question and the need for them increasingly sacrificed on the altar of the fight against terrorism and for reasons of state, there is an ever greater need to stand alongside victims of torture and to support victims and their families, appealing on 23 October 2014 to «all Christians and people of good will [...] to fight not only for the abolition of the death penalty, be it legal or illegal, in all of its forms, but also for the improvement of prison conditions.»

This is the battle which FIACAT and its network have been fighting for over forty years, a fight which will continue in 2015, to ensure that the dignity of every individual is protected and recognised, throughout the world.

Sylvie Bukhari-de Pontual
President of FIACAT
FIACAT and its affiliated members are actively involved with the United Nations system for promoting and protecting human rights, which comprises two types of body: the statutory charter-based bodies, including the Human Rights Council, and the bodies created under international treaties to protect human rights, the treaty-based Committees.

In 2014, several countries where an ACAT is active were reviewed by the United Nations bodies, among them Burundi, Chad, Côte d’Ivoire, the Democratic Republic of Congo, France, Italy, Madagascar, Senegal, Togo and the United States.

Universal Periodic Review

Upstream of the 19th and 20th sessions of the Universal Periodic Review (UPR) held in 2014 in Geneva at the UN Human Rights Council, FIACAT and its affiliated members, the ACATs of Côte d’Ivoire, the Democratic Republic of Congo, Italy and Madagascar submitted joint alternative reports.

Prior to the sessions, the representatives of the ACATs in Côte d’Ivoire, Italy and Madagascar took part in pre-sessions in Geneva organised by a FIACAT partner, UPR info. These pre-sessions gave ACAT members an opportunity to discuss their concerns with the Geneva-based permanent missions taking part in the event.

The recommendations presented to the hearings referred chiefly to torture and other cruel, inhuman or degrading treatments, detention conditions and abolition of the death penalty in Madagascar.

The ACAT representatives benefited from training on the UN’s Universal Periodic Review, to improve their mastery of this human rights protection mechanism. The training centred on advocacy at the time of the UPR and its follow-up.

In order to address the ACATs’ concerns, talks were held with country representatives at the Office of the High Commissioner for Human Rights (OHCHR) and representatives appointed to Special Procedures.

Treaty-based Committees

The Committees monitor implementation of the Treaty for which they are responsible. To this end, they review at regular intervals reports from the States parties on the way in which they are implementing the Treaty provisions.

This review takes place in the presence of a delegation from the State Party, in the light of all the information at the Committee’s disposal, including additional information submitted by civil society actors.

At the conclusion of this process, the Committee adopts Final Observations, which refer to positive aspects of the State’s implementation of the instrument in question and areas where the Committee recommends further measures.

FIACAT represents the ACATs at the sessions of these two Committees when one of the States where there is an ACAT has to submit a report on application of the Treaty against Torture or the International Covenant on Civil and Political Rights.

It helps the ACATs to draft alternative reports and other contributions, in order to provide the Committee experts with additional information on implementation of the Treaty which the ACATs have collected during their activities at local level.

Finally, to help the States put into practice the recommendations made to them, FIACAT, working with the ACAT in the country concerned, sets up procedures to ensure that the Final Observations, more especially the most urgent, are effectively followed up.

Follow-up of the Committees’ reviews

FIACAT organises advocacy missions with individual ACAT members so that, at the review session in question, they can report directly to the Committee experts on their concerns as regards torture and ill treatments in their countries.

Statement by Carlo Alberto Cucciardi, Representative of ACAT Italy

“On behalf of ACAT Italy, I had the honour of being present at the UPR preliminary work and of being responsible for advocacy upstream of the review. FIACAT and the ACAT met the United Nations official responsible for Europe and twenty-four permanent missions from various third countries. During these talks, I was able to answer questions on the situation in Italian prisons, which is a cause for concern, on the massive influx of migrants, to Lampedusa in particular, and on the Italian legal system, which has been dragging its feet as regards adoption of the criminalisation of torture bill, despite Senate approval.

This experience gave me a better understanding of the United Nations’ human rights protection mechanisms and a chance to voice the concerns of our association and to ensure that, in the debates of the international community, the focus remains on torture.”
Following the Recommendation on changes in the situation with regard to torture in Europe organised in January 2013 and approved by the Conference of INGOs of the Council of Europe, FIACAT was appointed coordinator of a Working Group for the Abolition of Torture.

Advocacy addressed to the permanent representations

On behalf of the Working Group, FIACAT held discussions on the situation with regard to torture in Europe with the permanent representations of Austria, Belgium, Italy, Russia, Spain, Sweden, Switzerland and Turkey. In particular, FIACAT drew attention to the problems of prison overcrowding, lack of human rights training for prison and judicial staff, arrangements for receiving migrants, reform of the European Court of Human Rights (ECHR) and the proper working of the European Committee for the Prevention of Torture (CPT).

These meetings allowed FIACAT to establish links with the permanent representations, which can be an important channel for conveying civil society’s concerns.

« A Europe without torture? »

On 29 January 2014, with the support of the Human Rights Committee of the Conference of INGOs, FIACAT organised an event: « A Europe without torture: what is today’s reality? – The fight against torture and other cruel, inhuman and degrading treatment or punishment: everyone’s responsibility! ». It was well attended and a number of speakers contributed.

Advocacy with regard to national authorities

In parallel with the workshops, meetings were organised with the Burundian authorities (the Director-General for Human Rights, the Chairman of the Independent National Human Rights Committee), the Office of the United Nations High Commissioner for Human Rights and diplomatic representations based in Burundi, to report on civil society concerns about respect for human rights.

On 26 June 2014, International Day in Support of Victims of Torture, civil society took part in national discussions on the setting up of a national mechanism for the prevention of torture (NPM). This event was evidence that civil society in Burundi wishes to support the State in this process, which aims to guarantee respect for human rights.

This joint mission reminded the Burundian authorities of the commitments the State has made to respect human rights.
In 2014, FIACAT’s new representation before the European Institutions in Brussels was able to put forward the concerns of the network members with regard to the external and internal policy of the European Union (EU).

EU internal policy

As part of its exchanges and consultations with NGOs, the European Union Agency for Fundamental Rights (FRA) carried out a consultation on future justice policy within the Union. FIACAT and the ACAT Germany, Belgium and France submitted a note on fundamental rights issues, setting out the action required at national and European level to make the rights enshrined in the EU Charter of Fundamental Rights more effective.

Their concerns, especially as regards to asylum, were passed to the European Commission for use in establishing the «post-Stockholm» programme on the future direction of justice and internal affairs of the EU.

The ACATs’ contributions have ensured that the European ACATs are involved in promoting the rights of migrants and asylum-seekers and encouraging the EU Member States and their citizens to show greater respect for human dignity.

As a member of the Human Rights and Democracy Network (HRDN), FIACAT attends the meetings of the EU Internal Human Rights Policy Working Group, which conveyed its concerns to Italy and Greece during their EU presidencies and participated in the EU Council Working Party on Fundamental Rights, Citizens’ Rights and Free Movement of Persons (FREMP).

One of the main aims of these meetings was to establish an internal human rights strategy to ensure consistency between the EU’s internal and external policies.

As part of its efforts to promote the abolition of torture and the death penalty, FIACAT monitors the work of the European Parliament’s Subcommittee on Human Rights (DROI). In particular, it follows the amendments to resolutions and reports on the subject of torture. It also contributes to discussion on the Regulation of the European Parliament and of the Council concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatments or punishments.

EU external policy

This year, the Forum focused on human rights defenders. It brought together defenders working to promote human rights and democracy in order to allow them to compare experience in the field, draw operational lessons and base their action on good practices.

Mr Deward Bushala moderated a workshop on «Documentation and registration of human rights abuses in the context of an armed conflict: the action of ACAT North Kivu in the Democratic Republic of Congo».

In his address, he described the documentation of cases of torture, the conduct of interviews with victims, analysis of the information collected and follow-up and assessment of the cases identified. In the course of the year, such information was frequently passed on by FIACAT to the African and UN human rights mechanisms.

The representative of ACAT Côte d’Ivoire took part in a round table on monitoring places of detention. He described the experience of the ACAT volunteers during their interviews with prisoners and the cooperation established with prison service staff.

On the fringes of the Forum, the ACAT members were able to meet and compare notes with several institutional partners and other human rights defenders from all over the world.

The two ACAT representatives reported back to the members of their ACATs in order to increase their individual capacities in this area and to provide them with new tools to encourage them in their action.

Statement by Mr Deward Bushala, member of ACAT DRC

“This event allowed us to meet several international NGOs and to share our experiences, good practices and information with the various actors. These exchanges enable us to boost our capacities and face up to the daily violations of human rights with which we are confronted.”

Working with the European Union
Programme for the abolition of the death penalty in Sub-Saharan Africa

In 2012, FIACAT started a programme aiming to abolish the death penalty on the African continent, mainly in the 15 countries where there is an active ACAT. Following the two regional seminars, one with the West African ACATs and the other with the ACATs from Central Africa and Madagascar, at which strategies were devised for the abolition of capital punishment, FIACAT is working with the ACATs to achieve definitive abolition over the whole continent.

Awareness-raising among opinion leaders in Mali

In September 2014, FIACAT and ACAT Mali organised a Seminar to raise awareness about abolition of the death penalty. This workshop was attended by 20 participants from seven towns in Mali: religious and traditional leaders, members of civil society organisations, journalists, members of the Mali National Human Rights Commission and members of Parliament.

At this Seminar, FIACAT reviewed the situation of the death penalty in West Africa, and Mali in particular. Then three speakers highlighted the importance of links between traditions, religions and the death penalty.

This meeting made it possible to find out why the majority of the population of Mali supports maintaining the death penalty, and to identify religious and traditional arguments in favour of abolition. These arguments were collected in a booklet intended for use in cooperation with the Benin authorities. This conference, which brought together the representative of the President of the National Assembly for the draft of a bill to abolish the death penalty and the Ministry of Justice, an awareness-raising workshop attended by 20 participants from seven towns in Mali, was an opportunity for the sub-region’s civil society to meet their authorities and encourage them to abolish the death penalty.

In December 2014, FIACAT and ACAT Togo carried out an advocacy mission in Togo with a view to ratification of the Second Optional Protocol to the ICCPR. During this mission they met with the Human Rights Minister, the National Human Rights Commission, the French Embassy and the European Union Delegation to Togo to express their concerns.

Advocacy for the abolition of the death penalty

Throughout the year FIACAT and the ACATs have carried out activities to advocate definitive abolition of the death penalty. Thus, FIACAT and the ACAT representatives of Burkina Faso, Ghana and Mali took part in a conference on abolition of the death penalty and the moratorium on executions organised by the Association Hands Off Cain in Freetown (Sierra Leone) in January 2014. This conference provided an opportunity for the sub-region’s civil society to meet their authorities and encourage them to abolish the death penalty.

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Towards an African Protocol aiming at the abolition of the death penalty

In July 2014, FIACAT and the ACATs in Benin, Congo, Côte d’Ivoire and Mali took part in the first Continental Conference on Civil and Political Rights aiming at the abolition of the death penalty (OP2). During this mission they met with the Human Rights Minister, the National Human Rights Commission, the French Embassy and the European Union Delegation to Togo to express their concerns.

This mission resulted in the adoption of a preliminary draft law authorising ratification of the OP2 in January 2015.

FIACAT with many of its members and the World Coalition Against the Death Penalty took part in a campaign to encourage the United Nations Member States to support the draft resolution that was presented to the United Nations General Assembly, calling for a universal moratorium on executions. FIACAT specifically targeted Mali and Madagascar to encourage them to sponsor the resolution, and Niger, the Democratic Republic of Congo and Senegal to encourage them to vote in favour of the resolution.

The results of this vote are very positive since 27 countries in Africa supported the resolution (23 in 2012), 6 voted against (8 in 2012), 18 abstained (as in 2012) and 3 were absent for the vote (5 in 2012).

Close-up on: Madagascar abolishes the death penalty!


It brought together the Representative of the President of the National Assembly, members of Parliament, several leaders and members of civil society organisations and representatives of UN bodies and of several European embassies to discuss the death penalty in Madagascar.

In a final declaration, the workshop participants welcomed «the steps taken by the National Assembly for the development of a bill to abolish the death penalty” and encouraged the President of the Assembly to include it in the agenda for the October 2014 session.»

In the alternative joint report submitted to the United Nations Human Rights Council in the light of the Universal Periodic Review for Madagascar on 3 November 2014 in Geneva, FIACAT and ACAT Madagascar also recommended that the Malagasy authorities abolish the death penalty and ratify the Second Optional Protocol to the ICCPR.

On 10 December 2014, the National Assembly of Madagascar unanimously adopted a bill on the abolition of the death penalty. Madagascar thus becomes the 18th member state of the African Union to have abolished the death penalty for all crimes.

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which brought together representatives of the Member States of the African Union, members of Parliament, National Human Rights Institutions and civil society organisations, provided an opportunity for debates on the issue of the death penalty in Africa and on the adoption of a regional legal instrument ensuring its abolition. The draft regional protocol is currently receiving positive support from many member states.

Programme to reduce abusive pre-trial detention

For many years FIACAT has monitored the process aiming to incorporate into national law the international obligations which States have recognised and accepted. In order to help States to implement these recommendations, FIACAT has set up, jointly with the ACATs of the countries concerned, procedures aiming to ensure that the recommendations are effectively followed up.

Prison overcrowding in Benin and Côte d’Ivoire is a matter of concern. It creates conditions under which torture and cruel, inhuman and degrading treatments can take place. This overcrowding is largely the result of a large number of prisoners on pre-trial detention, i.e. awaiting a court hearing. Within the six prisons targeted by the project (three in Benin and three in Côte d’Ivoire), on average 65% of prisoners are on pre-trial detention.

Reducing prison overcrowding in Benin and Côte d’Ivoire

The project aims to improve respect for the fundamental rights of the prisoner. It aims to strengthen the capacities of civil society and those working in the prison and judicial systems to prevent torture in places of detention.

In the long term, it is expected to reduce the excessive use of pre-trial detention, allow prisoners to be advised of their fundamental rights and improve detention conditions through reducing prison overcrowding.

The project enables members of civil society in the target countries to gain a better understanding of the procedural guarantees in connection with detention and reinforces the skills of registry and other court staff with regard to penal system procedures. The direct targets of this project are prisoners awaiting judgement and their families, and, as a priority, women and minors in prison.

Over the course of this year, FIACAT and the ACATs of Benin and Côte d’Ivoire have analysed the situation in the six targeted prisons and have devised and held a workshop on judicial guarantees for prisoners, which led to the publication of a manual on judicial guarantees for prisoners in the two countries.

Capacity-building workshops

FIACAT and ACAT Benin and Côte d’Ivoire organised a workshop in each of the two countries to share its expertise with regard to combating abusive detention. These workshops provided an opportunity to reflect on effective ways to combat abuse of pre-trial detention which is tantamount to cruel, inhuman or degrading treatment.

Two workshops on «capacity-building for those involved in the penal system and civil society with regard to abuse of pre-trial detention in the programme’s six target prisons.» were held in Benin and Côte d’Ivoire, enabling the 90 participants attending to draw up a «Guide to prisoners’ rights» in each country.

The workshops were participative. After a brief run-through of the Code of Criminal Procedure and an outline of the fight against torture by the expert trainers (local field workers), practical work consisted of correcting the draft guide on prudential guarantees for prisoners, which led to the publication of a manual on judicial guarantees for prisoners in the two countries.

The project aims to improve respect for the fundamental rights of the prisoner. It aims to strengthen the capacities of civil society and those working in the prison and judicial systems to prevent torture in places of detention.

In close collaboration with prison and court staff, members of civil society, assisted by partner lawyers, will bring cases of abusive detention to the attention of the competent authorities, with a view to reducing prison overcrowding and thus improving detention conditions.

To ensure that the conclusions of these workshops are followed up, FIACAT and ACAT Benin and Côte d’Ivoire have met the national authorities and also the international institutions and diplomatic missions in Benin and Côte d’Ivoire. These meetings provided an opportunity to remind those involved with human rights of the obligations deriving from the United Nations Convention Against Torture.

By the end of 2014, the ACATs in Benin and Côte d’Ivoire had already identified numerous cases of abusive pre-trial detention in the programme’s six target prisons.
The Good Friday campaign in Côte d’Ivoire

The Good Friday campaign, initiated by ACAT Switzerland, in collaboration with FIACAT and ACAT Côte d’Ivoire, was supported by the whole ACAT network. The ACATs, concerned by the human rights situation in Côte d’Ivoire and particularly by the regular use of torture, gave widespread publicity to this campaign with a view to persuading the Ivorian authorities to face up to their international commitments.

The ACATs called on the President in particular to take urgent steps against human rights violations in Côte d’Ivoire, identified by the African Commission on Human and Peoples’ Rights (ACHPR) and to implement its recommendations. These violations refer in particular to the lack of any definition of torture in Ivorian criminal law, the lack of prosecutions against perpetrators of torture, abuses of pre-trial detention and poor detention conditions.

The petition accompanying this campaign received more than 8,000 signatures addressed to the President of the Republic of Côte d’Ivoire, Alassane Ouattara, and handed to the Ambassador of Côte d’Ivoire in Switzerland. A new Penal Code of Côte d’Ivoire, Alassane Ouattara, and handed to the United Nations General Assembly on 10 December 1984, celebrated its 30th anniversary this year. It constitutes the key legal instrument for the prevention and criminalisation of acts of torture and sanctions against their perpetrators. FIACAT, in partnership with ACAT Switzerland, chose this symbolic date to call on the Swiss and Togolese authorities to make torture a crime in their national laws.

Several national and international institutions, in particular the United Nations Human Rights Council and Committee Against Torture, have called on Switzerland several times to add provisions on this matter to its Penal Code.

In Togo, Article 21 of the Togolese Constitution provides that “No-one may be subjected to torture or other forms of cruel, inhuman or degrading treatment or punishment.” However, existing criminal law does not explicitly define torture or make it a crime. Here also, several United Nations and ACHPR bodies have called on Togo to make torture a crime in its national law. Despite work to update the Penal Code and the code of criminal procedure, no new legal provision criminalising the practice of torture and making it liable to a court sentence has come into force yet.

The ACAT network therefore asked the Swiss Federal Council and the Togolese President, Faure Gnassingbé, to introduce a criminal law provision prohibiting all forms of torture and cruel, inhuman and degrading treatment or punishment.

In their work to prevent torture and abolish the death penalty, FIACAT and its network receive essential support from the Churches and religious institutions that pass on their concerns and help to disseminate their message.

Positions taken by Pope Francis

The year 2014 was marked by the Roman Catholic Church taking symbolic and strong positions on abolition of torture and the death penalty. FIACAT initiated an action lasting several months with the Ecumenical Council of Churches and the Holy See to encourage them to intervene publicly to mark the 30th anniversary of the United Nations Convention Against Torture.

When on Sunday 22 June 2014 the Angelus sounded to announce the celebration of the International Day of Support for Victims of Torture on 26 June, Pope Francis reiterated his «firm condemnation of all forms of torture» and called on “all Christians to engage and collaborate in abolishing torture and to support victims and their families». The Pope concluded with the words: «Torturing people is a mortal sin. It’s a very serious sin.»

On 23 October 2014, Pope Francis gave a speech calling on “all Christians and people of good will... to struggle not only for abolition of the death penalty, whether it be legal or illegal and in all its forms, but also to improve prison conditions.”

Pope Francis also said how important it was for States to face up to their responsibilities, since “these abuses can only be stopped by a firm commitment by the international community to recognise the primacy of the pro homine principle, that is to say the dignity of the human person above all things.”

In its daily work, FIACAT has also met representatives of various faiths and has called for commitment by all Christians to combat torture and the death penalty all over the world.

Support from Churches

In addition, Churches provide local support for ACATs. Thus, on Human Rights Day, 10 December 2014, the Swiss Churches in a joint declaration reaffirmed the absolute prohibition on torture and launched an appeal for signatures to the two petitions initiated by ACAT Switzerland and FIACAT on this occasion.

On 26 June, the ACAT network, on the initiative of ACAT France, organised the ninth Night Vigil on the subject of “Blessed are those who hunger and thirst for justice” (Matthew 5:1-12). On this occasion, Catholic, Protestant and Orthodox Christians mobilised to pray for the victims of torture. The ACATs were also able to count on the support of various religious communities during this vigil.
FIACAT warmly thanks its private donors who have regularly supported its activities in 2014.

FIACAT is extremely grateful to its institutional partners which, for many years, have encouraged its efforts in the struggle to abolish torture and the death penalty:

- CCFD – Terre solidaire (France)
- Ministry of Foreign Affairs of Germany
- Ministry of Foreign Affairs of Luxembourg
- Missio (Germany)
- OPCAT Special Fund (United Nations)
- International Organisation of La Francophonie (OIF)
- Tavola Valdese (Italy)

All of these through their contributions play an active part in supporting the activities of FIACAT and its network.

You can help FIACAT: Help us to build a world without torture!

By cheques: Payable to: FIACAT - Please send your donation to: FIACAT – 27 rue de Maubeuge – 75009 Paris

Or by bank transfer: Name of bank: Crédit coopératif

Address : Agence d’Odéon, 122 Boulevard Saint-Germain – 75006 Paris

Bank code: 42559 00004 21020532908 90

BIC: CCOPFRPPXXX

IBAN: FR76 4255 9000 0421 0205 3290 890

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Interns and Volunteers

FIACAT wishes to thank the volunteers and interns who have been working with it for the past few years and enable it to do its job.