DIGNITY’S STATE DIALOGUE PROGRAMME TO PREVENT TORTURE:
OVERVIEW AND ANALYSIS OF IMPLEMENTATION IN JORDAN AND TUNISIA 2008-2019

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DIGNITY'S STATE DIALOGUE
PROGRAMME TO PREVENT TORTURE:
REVIEW
Overview and Analysis of Implementation in Jordan and Tunisia 2008-2019

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If the negative conclusion is that torture will persist where preventive mechanisms are absent, we can offer a positive affirmation that torture prevention does work. Both the case studies and quantitative analysis tell us that the risks of torture fall substantially when preventive mechanisms are in place, especially when proper detention safeguards are practiced.

1 Carver and L. Handley (2016) Does Torture Prevention Work?
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1. INTRODUCTION

This review outlines the lessons learned from DIGNITY’s programme to prevent torture in Jordan and Tunisia, which was organised as sector-specific development programmes targeting the criminal justice sector in each country. Work started in Jordan in 2008 and in Tunisia in 2012 and is ongoing in both countries.

The criminal justice sector is key to any human rights protection and in particular for establishing and implementing the SD-Programme in Tunisia since 2011. Elna Søndergaard is admitted to the Danish Bar and has a Master’s degree in law. She was the country director in Jordan from 2013-2015 and is currently based in Denmark. Søndergaard is a senior legal advisor at DIGNITY’s legal department. The author of this paper is both senior legal advisors in DIGNITY’s legal department.

Based on detailed accounts of our work in these two countries, including the mechanisms that have been leveraged for achieving change, this paper will explore the key lessons learned from our work. We do this for the purpose of making these lessons available for other development and human rights actors globally, so as to achieve the overall vision of DIGNITY, that is, a world where fewer people are exposed to torture.

In general, justice sector programmes focused on prevention of torture face two key challenges, challenges we also will refer to as risks. Both of these are well-known. First, the complexities at multiple scales of the political, legal, and institutional context in which such programmes are implemented. Secondly, the political and social sensitivity of the anti-torture agenda makes this vision realistic and attainable. Our particular focus is on countries with some, albeit unstable, forms of democratic governance, as well as with some formal legal bureaucracies although these do not always meet the full requirements of rule of law. This way, the text aspires to contribute to the shared understanding of how justice sector programmes are implemented. Thus, we hope to contribute to establishing conditions and mechanisms that have been leveraged for achieving change, this paper will explore the key lessons learned from our work. We do this for the purpose of making these lessons available for other development and human rights actors globally, so as to achieve the overall vision of DIGNITY, that is, a world where fewer people are exposed to torture.

Specifically, the review explores the contributions of DIGNITY’S State Dialogue Programme (SD-Programme) to making this vision realistic and attainable. Our particular focus is on countries with some, albeit unstable, forms of democratic governance, as well as with some formal legal bureaucracies although these do not always meet the full requirements of rule of law. This way, the text aspires to contribute to the shared understanding of how justice sector programmes are implemented. Thus, we hope to provide an insight into the interconnections highlighting the importance of rule of law.

In this review, we describe how DIGNITY – Danish Institute Against Torture (DIGNITY) – has worked with development and human rights programmes with the objective to prevent torture and cruel, inhuman and degrading treatment (CIDT) in the Middle Eastern and North African countries of Jordan and Tunisia.


Guided by the Human Rights-Based Approach (HRBA) and existing approaches to torture prevention in the Global South, which provide evidence on how to design and implement development programmes, this paper illustrates how DIGNITY’s programmes have contributed to achieving change, this paper will explore the key lessons learned from our work. We do this for the purpose of making these lessons available for other development and human rights actors globally, so as to achieve the overall vision of DIGNITY, that is, a world where fewer people are exposed to torture.
1. BACKGROUND

Since the Arab Spring in 2011, the governments of Jordan and Tunisia have engaged with the UN and other national and international bodies and organisations in order to improve their human rights situation and for most of this period DIGNITY has supported these aspirations.

As early as 2002, DIGNITY began its state dialogue engagement in Jordan upon request from the Jordanian government. This was followed by participation in the UN Commission on Human Rights, which was instrumental in the development of the Optional Protocol to the UN Convention Against Torture (UNCAT). The United Nations Committee Against Torture (UNCAT) has the power to issue Concluding Observations (COs) to states which have ratified the Optional Protocol to the UN Convention Against Torture (UNCAT). These observations lead to Concluding Observations (COs) which are subsequently mandated authorities. The overall objective of DIGNITY’s justice sector work is to assist states to comply with the obligations under the UNCAT. A similar approach is used when states have ratified the Optional Protocol to the Convention Against Torture (OPCAT).

Currently, we can identify at least two waves or generations in torture prevention programmes. The first wave of programmes sought to build a working relationship with CSOs, to comply with the obligations under the UNCAT. A second-generation programme seeks to create partnerships with state institutions in order to address practices of torture. The strategy has typically been called the name-and-shame strategy and it remains the only viable option in contexts where state institutions appear unwilling or unable to engage in long-term programmes. This strategy has typically been used when states have ratified the Optional Protocol to the Convention Against Torture (UNCAT) with civil society, to comply with the obligations under the UNCAT. A similar approach is used when states have ratified the Optional Protocol to the Convention Against Torture (OPCAT). By adding to national and international political pressure through advocacy and documentation, organisations seek to expose instances of abuse and human rights violations. The overall strategy of change is often described as the ‘pressure-cooker’ model. By bringing pressure on state institutions, DIGNITY has sought to create a climate where state institutions appear willing or unable to address practices of torture.

However, we argue that the programmes under scrutiny in this paper mark a step forward from this strategy and would put therefore be referred to as second-generation programme.

Second generation programmes have a stronger focus on engaging with the state from a development perspective than was seen under the first-generation programmes. These programmes seek to engage with state institutions in order to improve their human rights situation and for most of this period DIGNITY has supported these aspirations. However, we argue that the programmes under scrutiny in this paper mark a step forward from this strategy and would put therefore be referred to as second-generation programme.

2. METHODOLOGY

This review bases its findings on a review of the current literature about the prevention of torture and the HRBA to development, as well as on ToC and Monitoring and Evaluation (M&E) in the form of Outcome Harvesting.

The contextual understanding is based on literature review and reports linked to English language text identified after a full-text search of databases (HeinOnline, UNODC and DIGNITY’s Catalogue) available here https://dignity.dk/dignity-kataloget/. This includes alternative reports and national reports to UN Committees under the Arab Spring in 2011, the governments of Jordan and Tunisia have engaged with the UN and other national and international bodies and organisations in order to improve their human rights situation and for most of this period DIGNITY has supported these aspirations.

The Danish-Arab Partnership Programme is Denmark’s collaboration program with the Middle East and North Africa. DIGNITY has been involved in a number of projects through the Danish Human Rights Consortium (DAPP), one of four consortia under DAPP, which is implemented together with four other Danish organisations, under the lead of DIGNITY. See further about DAPP and the Danish Human Rights Consortium at www.dapp.dk/en.

1.1 BACKGROUND

In the Monitoring and Evaluation (M&E) System "Outcome harvesting", a change agent is an individual or organisation that influences an outcome.

1.2 METHODOLOGY

Available here https://dignity.dk/dignity-kataloget/
2. PREVENTION OF TORTURE: MODELS AND THEORIES

2.1 HUMAN RIGHTS-BASED APPROACH

Today, HRBA forms a core policy principle of several major development donors, including DANIDA (Denmark’s development cooperation under the Ministry of Foreign Affairs) and the European Commission.

HRBA has been defined as:

A conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress.8

HRBA seeks to anchor development initiatives within the framework of international human rights obligations and to ensure that human rights standards define the benchmarks for development goals and outcomes and that human rights principles govern the development process.

By definition, HRBA is both a process and a goal. In other words, the implementation of human rights standards and norms is not only an end goal of development, but part of the development process itself. DANIDA has described HRBA as “both a means and an end in our development cooperation.”9

Using HRBA for the reform of the criminal justice sector entails linking the sector to the state’s obligations under international human rights law and identifying rights-holders and their entitlements (e.g., the right not to be tortured) and the duty bearers and their obligations to respect, protect and fulfil those rights.

In its essence, HRBA focuses on enabling rights-holders to claim their human rights and capacitating duty-bearers to fulfil their obligations and to prioritise the understanding of the relationship between the rights-holders and the duty-bearers, as well as their dialogue about how to ensure respect of the rights.

Rights-holders are every individual who is entitled to human rights without distinction based on race, colour, sex, age, language, religion, political or other opinion, national or social origin, disability, property, birth, or other status, such as sexual orientation and marriage status.

Duty-bearers are primarily state institutions. These include all the organs of the state, such as parliament, ministries, local authorities, and the police, among others. All these duty-bearers, who, under international law, are responsible for respecting, protecting, and fulfilling human rights obligations.

HRBA includes the following five core principles:

1. Application of the human rights legal framework
2. Empowerment and transparency
3. Participation
4. Non-discrimination
5. Accountability

HRBA emphasizes participation of all relevant stakeholders in society and by building on non-discrimination, it seeks to empower excluded and vulnerable groups in the process of ensuring improvements in rights protection.

2.2 APPROACHES TO TORTURE PREVENTION

Research has proved that a country's signing and ratification of the UNCAT does not in itself lead to better practice with regard to the prohibition and prevention of torture. The various models for intervention under the SD-Programmes therefore build on the assumption that there is a gap between theory (international and/or national legal obligations) and practice, and each of the models addresses this gap.

There is also a recognition that interventions aimed at increasing accountability for torture after the fact may face more significant hurdles in terms of impact and effectiveness than those focused more concretely on preventing torture before it takes place.

Recent research has proved that programmes supporting prevention measures do make important contributions to preventing torture.

1. National and international monitoring of places of detention.
2. Criminalisation, investigation, and prosecution of alleged perpetrators of torture.
3. Legal Safeguards: Access to a lawyer, doctor, and right to inform a family member of arrest when practised in the first hours and days after arrest and during detention.
4. Access to justice and complaint mechanisms.
5. Criminalisation, investigation, and prosecution of alleged perpetrators of torture.
6. Legal Safeguards: Access to a lawyer, doctor, and right to inform a family member of arrest when practised in the first hours and days after arrest and during detention.
7. Access to justice and complaint mechanisms.
8. Criminalisation, investigation, and prosecution of alleged perpetrators of torture.
9. Legal Safeguards: Access to a lawyer, doctor, and right to inform a family member of arrest when practised in the first hours and days after arrest and during detention.
10. Access to justice and complaint mechanisms.

Researchers Richard Carver and Lisa Handley undertook research in 16 countries in order to analyse whether and to what extent the four approaches contribute to the prevention of torture and which model had the greatest impact. The focus was on identifying practical effects on a relatively limited range of obligations related to the prevention of torture.

Their first conclusion was that "what matters isn't what's on the statute book, but practice in the police station." This finding does not come as a surprise for practitioners, and it confirms what DIGNITY has experienced in Jordan and Tunisia.

Secondly, Carver and Handley concluded that the four models mentioned above all may have an impact on torture practices in a country, but the model related to legal safeguards was the most effective for the prevention of torture.

Thirdly, Carver and Handley concluded that "context matters," and that preventive measures should be adapted to the specific circumstances in a country. This conclusion is confirmed by our experiences in Jordan and Tunisia, as we are often reminded about the impact of non-legal factors on our programmes, such as social and political realities in the countries where we work.

Our experience, combined with the findings of Carver and Handley, have led us to the same conclusion about the importance of legal safeguards for suspects and others in detention in the initial hours and days after arrest. All the analyses that we have conducted show that ensuring the effective implementation of these guarantees and limiting incommunicado detention in practice will significantly reduce torture. We have also found that investigating and prosecuting torturers, and independent monitoring of detention centres and prisons, make important contributions to preventing torture.

10. UNCAT. Article 4.1
13. Ib. p. 34.
15. Ib. p. 11.
17. Ib. p. 627.
DENMARK’S DEVELOPMENT STRATEGY IN MENA

3.1 DENMARK’S DEVELOPMENT STRATEGY IN MENA

The chapter explains Denmark’s development strategy in the Middle East and Northern Africa (MENA) area, which is a strategic priority for Denmark. Denmark’s overall development strategy is anchored around the Human Rights-Based Approach (HRBA) and is set within the framework of the UN Sustainable Development Goals (SDGs) and other international norms and standards.

Denmark’s overall development strategy is anchored around the HRBA and is set within the framework of the UN Sustainable Development Goals (SDGs) and other international norms and standards. Since 2003, Denmark has had a strategy for its development cooperation in the Middle East and North Africa (MENA) region, which it uses as a basis for its development activities in the region.

Denmark’s approach to development in the MENA region is characterized by a focus on supporting political and economic reform, promoting human rights, and empowering marginalized groups. The Danish approach to development in this area is summarized as follows: "consistent international leadership, predictability and principled engagement." Denmark has maintained a close dialogue with Danish MFA’s advisors in the two countries, as well as the Danish Embassies in Lebanon and Morocco, covering Jordan and Tunisia.

Denmark’s approach to anti-torture engagements can be summed up in the following way: “consistent international leadership, predictability and principled engagement.” The Danish approach to development in this area is characterized by a focus on supporting political and economic reform, promoting human rights, and empowering marginalized groups. The Danish approach to development in this area is summarized as follows: "consistent international leadership, predictability and principled engagement." Denmark has maintained a close dialogue with Danish MFA’s advisors in the two countries, as well as the Danish Embassies in Lebanon and Morocco, covering Jordan and Tunisia.

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3.2 FREEDOM FROM TORTURE: A PRIORITY OF DEVELOPMENT

3.2.1 DIGNITY’S PROGRAMME STRATEGY

DIGNITY is a Danish NGO that promotes human rights and works to end torture and violence. DIGNITY’s programme strategy is designed and tailored in accordance with the Human Rights-Based Approach (HRBA) and is set within the framework of the UN Sustainable Development Goals (SDGs) and other international norms and standards. DIGNITY’s programme strategy is based on the international anti-torture framework and infrastructure.

This is evidenced by Denmark’s strong role in the fight against torture, which has resulted in the establishment of DIGNITY as a central pillar in Danish foreign policy in relation to the MENA region. Denmark has supported the implementation of anti-torture standards in specific countries. Moreover, Denmark is a founding member of the global Convention against Torture Initiative (CTI), which seeks universal ratification of the UN Convention Against Torture (UNCAT) and enhanced implementation of its obligations.

Finally, Denmark has supported efforts to combat torture through financial support to regional programmes, partnerships, platforms for dialogue, bridge building, and allocation of resources. Denmark has also supported efforts to combat torture through financial support to regional programmes, partnerships, platforms for dialogue, bridge building, and allocation of resources. Denmark has also supported efforts to combat torture through financial support to regional programmes, partnerships, platforms for dialogue, bridge building, and allocation of resources.

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3.3 IMPLEMENTING HRBA: DUTY-BEARERS AND RIGHTS-HOLDERS

In the fight against torture, the principal legal duty-bearer is the state, including the various state actors within the ordinary criminal justice sector, such as the police, prosecutors, and judges. Rights-holders include every individual without distinction who is entitled to be free from torture.

The international normative anti-torture legal framework, which governs relations between the state and its citizens, sets out the clear prohibition of torture, as stipulated in the general human rights instruments, such as the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights (article 7) and the UNCAT (article 1 and 2) ratified by 171 countries, including Jordan and Tunisia, and the OPCAT that 90 countries, including Tunisia, have ratified. States which have ratified the UNCAT have legal obligations to prevent and punish torture and other cruel, inhuman or degrading treatment or punishment, and are accountable to their citizens for respecting, protecting and fulfilling the standards in the UNCAT. Obligations of particular importance for engagement with criminal justice institutions include the following:

- Articles 2 and 16: Prevention of torture and cruel, inhuman or degrading treatment or punishment.
- Article 4: Obligation to criminalise torture (in accordance with Article 1).
- Article 5: Establishment of jurisdiction over the offence of torture.
- Article 7: Obligation to extradite or prosecute suspected perpetrators of torture.
- Article 10: Training of law enforcement personnel, medical personnel and public officials.
- Article 11: Review of interrogation rules and detention practices.
- Article 12: Prompt and impartial investigation and prosecution of suspected perpetrators of torture and cruel, inhuman or degrading treatment.
- Article 13: Right to complain and protection.
- Article 14: Right to redress, and fair and adequate compensation.
- Article 15: Obligation not to invoke evidence obtained as a result of torture in legal proceedings.

DIGNITY’s approach in Jordan and Tunisia addresses both duty bearers and rights holders, in line with HRBA, has comprised the following:

- Building the capacity of state actors within the criminal justice sector to implement UNCAT, including through legislative reforms, and best practices where legislation is not in line with the obligations of UNCAT.
- Building the capacity of CSOs and professional associations (such as national bar associations) to understand policy context and processes and ways to increase the possibility of holding state actors accountable.
- Facilitating trust-based relations and alliances and developing a policy dialogue between the state and CSOs.

The full HRBA methodology and its five principles are the foundation of DIGNITY’s strategy. This contributes to the sustainability of DIGNITY’s programmes, and through the involvement of civil society actors ensures the accountability of the state actors. DIGNITY is cognizant that the process is itself a development goal, according to HRBA, and thus process goals are also noted as important outcomes in the ToC as well as in the project documents, and process milestones are therefore to be identified in monitoring and evaluation work.

Finally, DIGNITY’s cooperation with multilateral institutions (such as the EU and the UN) ensures that all relevant actors are engaged in the process, with a view to promoting accountability for and prevention of torture. However, in order to ensure full HRBA implementation, there is a need to enhance the participation of torture victims in our programming, an outcome and an achievement which most often is difficult to achieve, though it remains a key outcome.

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29 See note 28
The Chapter will present the ToC adopted by DIGNITY in order to explain the main objectives of DIGNITY’s SD-Programme (section 4.2). The specific objectives at both the process and outcome levels are explained in section 4.3 and relate to development changes at four levels (section 4.3.1-4.3.4).

### 4.1 THEORY OF CHANGE

DIGNITY has developed a ToC describing how to prevent torture through criminal justice sector reform based on the research and the models outlined in Chapter 2 (see figure 1). This ToC informs the SD-Programme and builds on lessons learned during its implementation.

The ToC considers a range of relevant areas of criminal justice sector reform, even if DIGNITY itself does not work on all these areas directly. The ToC, which explains all the assumptions and necessary conditions for achieving the desired change and how these relate to each other, contains two main pathways for achieving the objectives of anti-torture interventions within a national criminal justice system:

- **Combatting torture through investigation, prosecution, and accountability, i.e. holding perpetrators accountable (prosecution strategy).**
- **Preventing torture by 1) reducing the use of pre-trial detention and increasing access to legal safeguards at the outset of detention; 2) judges not accepting confessions for which there are reasonable grounds to believe were obtained as a result of torture (prevention strategy).**

The prosecution strategy, which relates to interventions after torture has occurred, rests on two key assumptions: 1) The threat of being held accountable deters or discourages potential future perpetrators from committing torture in the first place; and 2) justice and accountability are pressing needs for victims of torture and for this reason victims will therefore participate in these processes.

The prevention strategy relating to interventions before the act of torture occurs rests on two key assumptions: 1) The risk of torture and ill-treatment is highest during the initial hours of arrest and detention, improving the safeguards during police custody and pre-trial detention, for example ensuring prompt access to a lawyer and allowing lawyers to play an active role in defending their client’s rights, would diminish the risk of torture. Moreover, from a quantitative perspective, decreasing the number of people held in pre-trial detention and the probability of torture will reduce the total number of persons in detention and thereby prevent torture; and 2) The incentive to use torture as a mean to obtain a confession from a suspect would decrease when the risks of the evidence being declared inadmissible increases. In addition, the two strategies rest upon a number of pre-conditions as explained in figure 1.

### 4.2 PROGRAMME OBJECTIVES: PROCESS AND OUTCOMES

The prosecution and prevention ToC both operate with the following four levels for development results that can be at process level or at the level of outcome/direct impact within the criminal justice system:

- **Policy reforms**
- **Legislative reforms**
- **Changing attitudes and practices of key stakeholders**
- **Institutionalisation of changes in knowledge or new practices**

Changing attitude and practice, as well as institutionalisation or new practices, reflects the conclusion that “what matters is not the law, our practice of it, or our laws in general, but what we do in relation to each other and the institutional environment that encourages us to use these skills.”

Which level to focus on in any given project phase is determined after elaborating discussions between DIGNITY and partners and taking into consideration DIGNITY’s and its local partners’ capabilities and spheres of influence.

#### 4.2.1 Policy reforms

Comprehensive policy reforms specifically targeting the prevention of torture are rare due to the complexity and sensitivity of the topic of torture. However, policy changes may occur at many different levels and relate to change in attitudes towards the fight against torture or broadly to criminal law. By way of example, policy reforms emerged from the revolution in Tunisia in 2011 and in Jordan after the implementation of the King of Jordan’s 2009-2010 reform program. DIGNITY has experienced that “invisible” policy changes may lead to the important first step being taken in a country, i.e. the recognition of the prevalence of torture and allowing victims to openly discuss how to prevent it.

Subsequently, when the policy change has occurred, DIGNITY can play a role in developing strategies and bringing together key stakeholders. This happened first for lawyers, prosecutors, and judges in Tunis in 2012 when DIGNITY organised a meeting to discuss how to document torture. Similarly, in Jordan, DIGNITY was able to gather defence lawyers and prosecutors for the first time in the same room to discuss how to regulate pre-trial detention.

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30 Carver and Handley, p. 11.
4.2.2 Legislative reforms

Legislative reforms, which are of relevance for the eradication of torture, primarily entail modifications to the national constitution, the criminal code (for example by criminalising torture in accordance with Article 4 of UNCAT), and the criminal procedure code (for example by properly regulating the use of pre-trial detention and rules relating to evidence). It could also include amendments to other laws, for example the law governing the bar association to allow defence lawyers to be present immediately after arrest, or to the civil code to allow compensation to victims of torture in accordance with Article 16 of UNCAT.

The process of legal reform in the human rights field is also important, as it is a way to make people understand better their rights and how they are protected in the law. The process of involving key actors in developing new legislation is equally important as a way to empower them.

4.2.3 Changing Attitudes and Practice

Capacity support and provision of technical assistance - legal knowledge - are key components of DIGNITY’s SD-Programme, as what matters is not the law but practice. Thus, basically, key actors need to have acquired the knowledge and skills to implement their obligations under international law, even when national legislation may not comply, and the system needs to allow them to do things differently.

Capacity support to the target groups have been undertaken by DIGNITY’s legal department and the Danish Legal Expert Group (see below).31

The drafting and launching of various manuals related to the implementation of legal standards have established platforms for dialogue with larger groups in society and discussions that would contribute to a more robust understanding of the legal framework. How this was done in Jordan and Tunisia is discussed in further detail in Chapter 6.

DIGNITY’s approach to skill-based training involves the process of imparting knowledge to participants and facilitates the building of alliances amongst like-minded actors who in other settings will carry forward the key messages related to combatting torture.

DIGNITY’s training is based on the following 3-level model:

- **Increased knowledge** and awareness about international standards in the UNCIT.
- **Improved attitudes** towards implementation of international standards in practice.
- **Changes** in observed performance during training and in individual **practice** in a subsequent work situation.

4.2.4 Institutionalisation

Institutionalisation of new knowledge and practice is closely linked to the sustainability of development programme interventions by ensuring that behavioural changes in practice are anchored in an institution. Therefore, DIGNITY always includes in its SD-Programmes a workstream related to institutionalisation of changes. However, there is no quick fix for moving from results at the individual level to changing practices within an institution. The momentum for important and lasting changes within an institution would depend upon a number of factors outside of DIGNITY’s sphere of influence. By way of example, the nomination of the head of the working groups tasked with collaborating with DIGNITY and other key leaders within an institution and their personal capacities and interests.

Institutionalisation could relate to ad-hoc training manuals being adopted as regular training curriculum within an educational institution. For example, when guidelines and training material for judges, prepared by a Working Group, are formally adopted by the country’s High Judicial Training Institute following the normal procedures for doing so and will be used by all trainee judges enrolled at the institute. This is a guarantee that the guidelines will be useful and relevant well-beyond the timeframe of the specific project phase. Institutionalisation could also concern adoption of a technical support programme to be used by specific actors in the criminal justice system (see further Chapter 6).

This KAP (Knowledge, Attitude, Practice) learning model and the way of identifying behavioural change developed within DIGNITY is based on best practice32 input from external consultants and lessons learnt during the implementation of the SD-Programme. The model keeps the local partners in the “driving seat” by initiating and implementing each of the learning phases, which gives them a strong sense of pride and ownership in the trainings and their impact.

Focus is also on nudging professional pride and ownership of reform processes, and thus learning skills that the target group values so that they feel that they can do their job more professionally. However, DIGNITY is well-aware of the big step from acquiring new skills to actually putting them into practice and of the obvious limitations of institutions not allowing such changes.

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31 The group includes various Danish Institutions (such as the Danish Chief of Prosecution Office (Rigsadvokaten) and the Danish Bar Association) and individuals, such as law professors and former prosecutors.

5. METHODS

This chapter will present the key developments in DIGNITY’s South-South and North-South Dialogue, focusing on the methodologies adopted by DIGNITY in order to achieve the main objectives of implementing the ToC in the context of Jordan and Tunisia. The partnering approach has been architected around working groups, created by working groups of DIGNITY’s South-South and North-South Dialogue partners. These working groups have been discussing issues such as ToC, strategy, development of specific programme phases, technical exchanges, and peer-to-peer exchanges. The working groups have been discussing issues such as ToC, strategy, development of specific programme phases, technical exchanges, and peer-to-peer exchanges. The working groups have been discussing issues such as ToC, strategy, development of specific programme phases, technical exchanges, and peer-to-peer exchanges.

In section 5.2, this chapter will describe the SD programme’s strong component of technical assistance, such as legal advice from DIGNITY’s legal department, leverage and programme advice from DIGNITY’s working groups and partners in the dialogue. The working groups have been discussing issues such as ToC, strategy, development of specific programme phases, technical exchanges, and peer-to-peer exchanges. The working groups have been discussing issues such as ToC, strategy, development of specific programme phases, technical exchanges, and peer-to-peer exchanges.

5.1 PEER-TO-PEER DIALOGUE WITH DANISH EXPERTS

Bilateral peer-to-peer exchanges have been organised between Jordan and Tunisia, as well as with other countries. The participation of Danish institutions in the Group of Legal Experts provided strong guidelines and carried out trainings for judges and prosecutors. The participation of Danish institutions in the Group of Legal Experts provided strong guidelines and carried out trainings for judges and prosecutors. The participation of Danish institutions in the Group of Legal Experts provided strong guidelines and carried out trainings for judges and prosecutors.

By way of example, in 2014, the Tunisian Ministry of Justice used the Danish legal expertise to develop recommendations on how to improve the legal system in Tunisia. This collaboration has been highly valued by the Tunisian partners, especially by the Tunisian Ministry of Justice, which has been able to share its experiences and best practices with the Danish experts. The collaboration has been highly valued by the Tunisian partners, especially by the Tunisian Ministry of Justice, which has been able to share its experiences and best practices with the Danish experts. The collaboration has been highly valued by the Tunisian partners, especially by the Tunisian Ministry of Justice, which has been able to share its experiences and best practices with the Danish experts.

The participating countries have prioritised peer-to-peer exchanges between local state and civil society organisations (section 5.6). Finally, this section explains DIGNITY’s M&E system for monitoring and evaluating the implementation of the ToC in the context of Jordan and Tunisia. The participating countries have prioritised peer-to-peer exchanges between local state and civil society organisations. The participating countries have prioritised peer-to-peer exchanges between local state and civil society organisations.

5.2 SOUTH-SOUTH AND NORTH-SOUTH DIALOGUE

This form of exchange is particularly important given that DIGNITY is an NGO, and therefore has limitations with respect to the scope of shared experiences with its SD-programme partners. This modality also provides the opportunity for DIGNITY to provide technical assistance on specific legal issues.

In section 5.2-5.3, this chapter will describe the SD programme’s strong component of technical assistance, such as legal advice from DIGNITY’s legal department, leverage and programme advice from DIGNITY’s working groups and partners in the dialogue. The working groups have been discussing issues such as ToC, strategy, development of specific programme phases, technical exchanges, and peer-to-peer exchanges. The working groups have been discussing issues such as ToC, strategy, development of specific programme phases, technical exchanges, and peer-to-peer exchanges. The working groups have been discussing issues such as ToC, strategy, development of specific programme phases, technical exchanges, and peer-to-peer exchanges.

These dialogues have been organised with different purposes ranging from strategic dialogue to exchange experience about the drafting process regarding the guidelines on investigation and prosecution. It can also have an added value of facilitator-context contact between the SD-partner and different professional groups (lawyers, judges, lawyers, judges) has been highly valued by the partners because they can see as equals and the discussions both their professional positions and experience, and they have been very responsive to input from their Danish peers. These dialogues have been organised with different purposes ranging from strategic dialogue to exchange experience about the drafting process regarding the guidelines on investigation and prosecution.
4 COOPERATION WITH MULTINATIONAL ORGANISATIONS

In Jordan, the criminal justice sector involves all the main state institutions: the Prosecution Office, the Bar Association, the Jordanian Judicial Institute, The National Centre for Human Rights, the Public Security Directorate (PSD), the Ministry of Justice (MoJ), the Judicial Council and the Administrative Tribunal. The success of this approach targets to engage the government and other justice agencies, to strengthen the rule of law and human rights commitment. Jordan’s legal system is different from Tunisia’s, and in order to enhance the project’s diffusion, DIGNITY has had to be very strategic when considering the partner’s perspective. Thus, the lesson learnt is that study tours, which include visits to countries with different legal systems, are particularly relevant and useful, as the former’s legal framework and institutional structure is very similar to that in Tunisia.

5.3 SECTORIAL APPROACH

The justice sector involves a large number of institutions, and it is DIGNITY’s experience that sustaining a programme by multiple actors and focusing on changing attitudes than study tours to countries with different legal systems. Thus, the lesson learnt is that study tours, which include visits to countries that have similar legal and institutional frameworks to the partner’s country of origin, potentially have greater impact in terms of changing attitudes than study tours to countries with different legal systems.

Finally, a number of study tours were also organized, including to Denmark and Belgium, to allow partners to experience practical cases of investigating crimes and focusing on the prevention of torture – also making these issues more visible and harder to ignore by other international organisations. When DIGNITY is being perceived by local partners as a professional partner, which seriously aims for delivering results, then international organisations show greater interest in inviting DIGNITY into discussions – even to the extent of having the possibility to influence reform agendas.

With regards to establishing such partnerships, it is our general experience that progress only related to investigating the crime of torture – also makes these issues more visible and harder to ignore by other international organisations, whose serious aims for delivering results, even to the extent of having the possibility to influence reform agendas.

In Tunisia, for the first phases of the programme DIGNITY focused on the partnership with the Tunisian Ministry of Justice (MoJ). Subsequently, DIGNITY has established a new partnership with the Tunisian Bar Association and the National Centre for Human Rights. In addition, DIGNITY has established new partnerships with the operations of the UN and the EU technical assistance and impact within very specific mandate i.e. prevention and eradication of torture by fulfilling international human rights obligations. The success of this approach targets to engage the Tunisian MoJ and this has proven particularly relevant and useful, as the former’s legal framework and institutional structure is very similar to that in Tunisia.

5.4 COOPERATION WITH MULTINATIONAL ORGANISATIONS

In addition to state partners, key civil society actors within the criminal justice sector have been involved in various dialogues with the Tunisian MoJ, and this has proven particularly relevant and useful, as the former’s legal framework and institutional structure is very similar to that in Tunisia.

FINANCIAL SUPPORT

The evaluation of the project concluded that:...
There is evidence that the work of the KARAMA project and the EU Justice and Home Affairs programme (PHARE) has started to have an impact on the use of pre-trial detention in Jordan. In Tunisia, DIGNITY engaged with the International Bar Association Human Rights Institute (IBAHRI), which has a strong track record of training judges and prosecutors in the country, to carry out training of trainers (ToT) for judges and prosecutors. This cooperation made it possible to train approximately twice the number of magistrates than initially foreseen. Similarly, cooperation with the UN Office for the High Commissioner for Human Rights, the UN Development Programme, the International Legal Assistance Consortium, EuroMed Rights, and IBAHRI led to the organisation of a high-level seminar in December 2016 that served as a public forum for discussing the challenges faced in the fight against impunity for torture in Tunisia. As a result, political authorities made public commitments to address these issues.

5.5 MONITORING AND EVALUATION

The possibility of capturing process outcomes is highly important under the SD-Programme in Jordan and Tunisia, because many interventions relate to building relationships and creating conditions for changes and, moreover, that the overall objectives (the prevention and eradication of torture in the two countries) are not achievable within specific project phases. Rather, changes occur incrementally, and must be documented by a variety of social actors. In Jordan and Tunisia, basic information and statistics are unavailable, such as the number of torture cases pending before the courts, the content of preliminary investigations or number of judgements related to pre-trial detention. The lack of statistical data poses a challenge for documenting impact.

Initially, DIGNITY used a simple M&E system that was developed internally and focused on partner reports and evaluating the effect of training (by using pre- and post-training questionnaires). DIGNITY realized, however, that partners mainly reported on their activities and not on changes, and that the M&E system did not effectively capture process outcome and results. DIGNITY changed its M&E system and began to use the methodology of outcome harvesting to monitor and evaluate changes through its interventions.

Outcome harvesting is described as:

A methodology used to identify, describe, verify and analyse the changes in the behaviour, relationships, actions, activities, policies or practices of an individual, group, community, organisation, or institution.

An outcome is defined as: A change in the behaviour, relationships, actions, activities, policies or practices of an individual, group, community, organisation, or institution.

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An outcome is defined as: A change in the behaviour, relationships, actions, activities, policies or practices of an individual, group, community, organisation, or institution.
6. KEY OUTCOMES (PROCESS AND END RESULTS) AND CHALLENGES

As explained in the previous chapters, DIGNITY’s approach to preventing torture focuses on the process rather than the end result. The key outcomes are driven by the consistent and effective implementation of legal reforms and institutional change. These outcomes are not only measured by the actual changes in law and practice but also by the impact these changes have on the ability to prevent torture.

The partnerships with the rights holders in the HRAA structure, i.e., with civil society organisations, are in and of themselves, considerable achievements and should be seen as important process-level outcomes. In addition, DIGNITY has engaged heavily in partnerships with civil society organisations, such as a local trauma and rehabilitation centre (FHI), and a coalition of NGOs, namely, the Jordanian Coalition against Torture, which was established by DIGNITY’s Copenhagen office, these efforts have ensured productive work relations. The regular dialogue and liaison with the partners, coupled with the technical input from DIGNITY’s offices in Amman and Tunis, and the local DIGNITY offices have facilitated a continuous and trust-based partnerships have necessitated patience in both the state and local NGOs - without DIGNITY’s initiation - is a sign of the state’s willingness to engage in dialogue and to work with civil society organisations.

The partnerships with the state include the great work done through the establishment of the Family Protection Unit within the PSD. Such increased cooperation between the state and civil society has been a priority, especially in Jordan where the state partner and civil society has been crucial for the legitimacy and sustainability of both programmes in Jordan and Tunisia. Furthermore, the facilitation of dialogue between the state and civil society has played a key role in advocating for legal and policy changes.

This chapter will discuss key outcomes at both the process and end-result level with regard to the implementation of the HRAA and the ECHR as well as the results and challenges mentioned in each of the previous sections. Both programmes have been reviewed externally on a regular basis, as mentioned above, and the evaluation findings confirm the results and challenges mentioned in each of the previous sections.

6.1 PARTNERSHIPS

In line with HRBA, which underlines that the process is as important as the end result (see chapter 2), DIGNITY has invested considerable resources into developing strong partnerships with the state partners. These trusted partnerships have facilitated a continuous and close relationship between state institutions and DIGNITY, which has played an important role in preventing torture and ensuring the effective implementation of the HRAA and the ECHR.

Despite the overwhelmingly positive experience of this partnership model, it has not been without its challenges. When obstacles have arisen, DIGNITY has engaged proactively and creatively to overcome the challenges, often involving continued and open dialogue between DIGNITY and its partners. When challenges have been surmounted, they have often been due to the collaborative efforts of both organisations, including partnerships beyond executive institutions. The DIGNITY programme is as important as the end result, and the ongoing dialogue and collaboration are crucial for the effective implementation of the HRAA and the ECHR.

The partnerships with civil society organisations have also been crucial. As noted, the establishment of the Jordanian Coalition against Torture, which was established by DIGNITY, has facilitated productive work relations. Regular dialogue and liaison with the partners, coupled with the technical input from DIGNITY’s offices in Amman and Tunis, and the local DIGNITY offices, have facilitated a continuous and trust-based partnership.

The partnerships with the state include the establishment of the Family Protection Unit within the PSD. Such increased cooperation between the state and civil society is a sign of the state’s willingness to engage in dialogue and to work with civil society organisations. The dual partnerships model, through which DIGNITY has worked, and the partnerships with civil society organisations, continue to be crucial for the legitimacy and sustainability of both programmes in Jordan and Tunisia. Furthermore, the facilitation of dialogue between the state and civil society has been a priority, especially in Jordan where the state partner and civil society has been crucial for the legitimacy and sustainability of both programmes in Jordan and Tunisia. Furthermore, the facilitation of dialogue between the state and civil society has been a priority, especially in Jordan where the state partner and civil society has been crucial for the legitimacy and sustainability of both programmes in Jordan and Tunisia.

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With regards to Jordan, a willingness to amend legislation emerged. As noted in an external review of the KARAMA programme (2016), a level of mutual respect between DIGNITY staff and members of the working groups has meant that our collaborations have been fruitful experiences. All members have been encouraged to present ideas and through regular meetings examining various issues and new areas of cooperation have been identified. For obvious reasons, namely the revolution of 2011, more involved in a dialogue about their role in combatting torture and ill-treatment. Officially, the judiciary and the Ministry of Justice and the Ministry of Interior have agreed to engage in anti-torture meetings and training, and for the judiciary to be generally supportive – allowed for discussions about necessary reforms and paved the way for high-level discussions that took place during High Levels Seminars held in Tunis in November 2014 and December 2016. The difference in the participation of the judiciary and the MoJ in the last review of 2016 compared to the second one demonstrated the increased commitment to combating torture. The increased commitment is not only reflected in the redundancy of the issue in the agenda of the MoJ and the judiciary, but also in the increased willingness of the judiciary to cooperate with DIGNITY.

6.2 POLICY REFORMS

Policy reform can take various forms. Generally, the European Union and other donor organisations have understood that technical assistance is needed to influence the policy-making process, and that technical assistance can be used to influence policy-makers to move towards reforms. In both Jordan and Tunisia, technical assistance to the judiciary and to the Ministry of Justice has been used to influence the policy-making process, and to influence policy-makers to move towards reforms. In both countries, the QRM has been used as a technical partner rather than a political one.

In both countries, the QRM has been used as a technical partner rather than a political one. This is perceived by local partners as a technical partner rather than a political one.

In both Jordan and Tunisia, legislative reforms have been adopted as a result of the negotiation process. In Jordan, the Criminal Procedure Code was amended in 2012 to provide for the appointment of a lawyer from the moment of arrest as well as other legal safeguards. These are all highly recommended reforms that are important for the protection of the rights of the accused, and that they have been adopted in both countries.

In Tunisia, the UNCAT has been ratified, and other international standards and by developing guidelines and registration systems to combat torture. For instance, the UNCAT has been ratified, and other international standards and by developing guidelines and registration systems to combat torture. The level of mutual respect between DIGNITY staff and members of the working groups has meant that our collaborations have been fruitful experiences. All members have been encouraged to present ideas and through regular meetings examining various issues and new areas of cooperation have been identified.
These include:

Since 2011, Tunisia has adopted a number of important legislative reforms, bringing its national law into greater conformity with the UN Convention Against Torture. Moreover, an increased awareness of the international human rights standards among key actors may have contributed to these amendments. By way of example, in 2014, DIGNITY provided input to the reform of the Criminal Procedure Code in Jordan and suggested that Article 114 provided input to the reform of the Criminal Procedure Code in Jordan and suggested that Article 114 of the CPC should be deleted as it is not compatible with the international standards. In 2016, the Tunisian parliament adopted a series of amendments to the Criminal Code and the Penal Code, which subsequently were presented to the Minister of Justice and the Parliamentary Committee responsible for reviewing amendments to the CPC. While not exclusively attributable to the recommendations of the Tunisian Working Group, these amendments were partly a result of the committee's recommendations. Finally, DIGNITY has itself, on specific occasions, directly provided input to draft legislation. By way of example, in 2014, DIGNITY provided input to the reform of the Criminal Procedure Code in Jordan and suggested that Article 114 of the CPC should be deleted as it is not compatible with the international standards.

In 2017, the amendment of Article 13(bis) of the CPC (see above) reflected the recommendations of the working group that came out of the process of drafting the guidelines on the role of judges and prosecutors in combating torture which were designed to provide for the examination of the role of judges and prosecutors in combating torture. These amendments have influenced the ongoing discourse amongst the authorities on the legislative reforms necessary for the implementation of UNCAT.

In 2018, the Constitutional amendment of Article 8(2) of the International Covenant on Civil and Political Rights prohibited torture, which subsequently were presented to the Minister of Justice and the Parliamentary Committee responsible for reviewing amendments to the CPC. While not exclusively attributable to the recommendations of the Tunisian Working Group, these amendments were partly a result of the committee's recommendations. Finally, DIGNITY has itself, on specific occasions, directly provided input to draft legislation. By way of example, in 2014, DIGNITY provided input to the reform of the Criminal Procedure Code in Jordan and suggested that Article 114 of the CPC should be deleted as it is not compatible with the international standards.

Following the KAP learning model, DIGNITY has developed and supported new reform programmes in both countries, which have taken on a life of their own, becoming well-known not only among prosecutors and judges, but also to donors and the non-governmental organisation (NGO) world.

6.4 CHANGE OF ATTITUDES AND PRACTICES

Following the KAP learning model, DIGNITY has developed and supported new reform programmes in both countries, which have taken on a life of their own, becoming well-known not only among prosecutors and judges, but also to donors and the non-governmental organisation (NGO) world.

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In 2017, the amendment of the Criminal Procedure Code to limit the number of crimes in relation to which pre-trial detention was permitted.

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In 2018, the amendment of Article 13 of the Criminal Procedure Code to limit the number of crimes in relation to which pre-trial detention was permitted.
In Jordan, the influential role of DIGNITY has been widely acknowledged. The report indicates a significant reduction in the use of pre-trial detention, from 47.9% in 2015 to 36.9% in 2019. This reduction was achieved through the implementation of the KARAMA programme, which aimed to reduce the use of pre-trial detention and provide alternatives such as community service and pre-trial supervision. The programme was influenced by the EU-funded Karama Project, which also focused on reducing pre-trial detention. The programme was conducted in Jordan and Tunisia, and its success was measured through various indicators such as the reduction in the number of cases initiated, the increase in the use of alternatives to pre-trial detention, and the reduction in the number of sentences to prison.

In Tunisia, the reduction in the use of pre-trial detention was also significant, from 43.3% in 2015 to 36.9% in 2019. The reduction was achieved through the implementation of the DIGNITY-MoJ partnership project, which aimed to reduce the use of pre-trial detention and provide alternatives such as community service and pre-trial supervision. The programme was influenced by the EU-funded Karama Project, which also focused on reducing pre-trial detention. The programme was conducted in Jordan and Tunisia, and its success was measured through various indicators such as the reduction in the number of cases initiated, the increase in the use of alternatives to pre-trial detention, and the reduction in the number of sentences to prison.

However, despite the reduction in the use of pre-trial detention, the challenges in implementing the programme are significant. The programme has faced challenges in gaining the trust of lawyers and judges, who are important stakeholders in the legal system. The programme has also faced challenges in providing the necessary resources and support to implement the programme effectively.

In conclusion, the DIGNITY-MoJ partnership project in Jordan and Tunisia has shown significant success in reducing the use of pre-trial detention. The reduction in the use of pre-trial detention has had a positive impact on the legal system, reducing the burden on the judicial system and providing alternatives to pre-trial detention. However, the programme faces significant challenges in gaining the trust of lawyers and judges, and providing the necessary resources and support to implement the programme effectively.
Institutionalisation
The objective of both programmes is to see positive behavioural changes institutionalised, and thereby achieve long-term sustainability.

This can happen at a technical level. In Jordan, the judiciary’s case management system (MIZAN) was amended to include provisions for measuring the use of pre-trial detention on a case-by-case basis. Moreover, the system was modified to enable prosecutors to check the length of pre-trial detention and ensure that the legal time limits are respected. The system can generate useful data and enable future monitoring of the use of pre-trial detention according to different indicators – e.g. the number of pre-trial detainees as a proportion of the total of cases or defendants in the system, the reason for detention and release, as well as suspects’ age, gender, and nationality. Prosecutors and judges have been trained in how to use the MIZAN system on a regular basis.

Institutionalisation can also happen in the form of new permanent curricula being adopted and guidelines being anchored in national training institutions. In Tunisia, the curriculum of the continuing education programme for prosecutors and judges of the Institut Superieure de la Magistrature (ISM) now includes some sessions on the investigation and prosecution of torture cases. In Jordan, the Judicial Institute now includes the guidelines on pre-trial detention in training modules and the process towards developing a clearing course at the institute has begun.

However, at a more general level, we continue to face challenges in moving from changing the attitude of some individuals to actual generating institutional changes. This challenge arises in particular when working with inherently political institutions such as Ministries of Justice.

Conclusions and Recommendations
In addition to the well-known elements for effective development programming, such as baselines, communications strategies, and the need for sustainability as well as realistic timelines for impact, the following key lessons emerged from the SD-programme:

- Overall Strategy:
  Political will to initiate the necessary legislative and institutional reforms and practice changes within the criminal justice sector is essential. Where political will is lacking, impact will be elusive. Programmes for criminal justice reform should therefore include assessment of political will both within the risk assessment framework, as well as in the intervention strategy (either directly or in partnership with other sectors). They are also designed to communicate the political case for the need to address impunity and to be in a position to participate in and influence the media around the political debate for a meaningful approach to the criminal justice reform.

- Prosecution vs. Prevention Strategy:
  While combating impunity is a central feature of the anti-torture movement, it cannot be denied that even in well-functioning democracies, ensuring accountability for torture is challenging and occurs only rarely. There is therefore strong argument for shifting to a preventive strategy, or at least for taking a two-pronged approach, which also addresses the preventive role to be played by key criminal justice actors.

- Incorporating HBRA fully into the programmes from the beginning requires resources but is fundamental for ensuring sustainable results.

- Revise the overall limitations of the programme scope: It should regularly be assessed whether political will to expand the programme emerges so that the impact of the program can increase.

- Establishing equal partnerships is a pre-requisite for effective implementation of DIGNITY’s SD-Programmes, and local presence in the country greatly facilitates the building of relationships based on mutual trust with partners.

- A sector-wide approach through cooperation with various actors, such as larger donors, international organisations and NGOs, is crucial for criminal justice reform projects. Adapting an advocacy strategy towards such stakeholders and lobbying to ensure that projects are designed and implemented in a way that ensures complementarity of objectives and which prevents the need to undertake all the work with the various criminal justice institutions.
Institutional Roles and the Perceptions:

Credibility is built at many different levels but can be enhanced by ensuring that all persons involved in criminal justice reform projects are highly dedicated, capable, and inspiring as a professional.

Facilitating a process: Strong focus on the process and facilitating each step with lengthy dialogue between partners on combating and preventing torture is a key role to be played by the implementing organization. This requires patience, yet it also entails that previously undetected and unexpected results will emerge during such exchanges.

Provision of technical assistance and solid legal input – including through peer-to-peer dialogue – steers the focus away from human rights criticism and provides the impression of a professional, serious partner.

Implementation:

Understanding and analysis of context is paramount and provides an insight into project options. Moreover, legal practice differs from one context to another, and adequate resources should be allocated to understanding systemic barriers to change.

Local ownership of the project is crucial for facilitating the development processes and ensuring sustainability. Ongoing cooperation is key to ensuring such local ownership and creating change agents who can expect to yield further good results.

Reduce risks by scaling up with new partners. It is important to expand and work with a variety of partners and preferably all the key actors in the justice sector to ensure development outcomes and maximum impact of investment.

Involving civil society in any criminal justice reform programmes is equally important for ensuring that they have the skills and resources to hold state actors accountable.

Monitoring:

Effective M&E system facilitates systematic tracking of progress, and the outcome harvesting system seems to capture well the complexity of SD-Programmes, and specifically the importance of process outcomes, such as the establishment of partnerships.

Ongoing evaluation of the impact of the overall strategy is necessary, including adjustments when new evidence shows that torture is more effectively prevented using another strategy.

**PREVENTION STRATEGY**

- Confessions suspected to have been obtained through torture or ill-treatment are not accepted
- Reduction of the use of pre-trial detention and access to legal safeguards

**PROSECUTION STRATEGY**

- Judges have the capacity and ability to effectively investigate and prosecute complaints of torture in line with international standards
- Lawyers have the capacity and ability to bring cases of torture to the authorities
- Judges have the capacity and ability to declare inadmissible evidence suspected to have been obtained through torture
- Judges & prosecutors have the capacity and ability to identify suspected cases of torture
- Judges & prosecutors have the capacity and ability to identify torture and document cases
- Lawyers have the capacity and ability to bring cases of torture to the authorities
- Judges and prosecutors have the capacity and ability to challenge pre-trial detention decisions
- Lawyers have the capacity and will to identify torture and document cases
- Lawyers have the capacity and will to bring cases of torture to the authorities
- Lawyers have the capacity and will to challenge pre-trial detention decisions
- National legislation in accordance with UNCAT
- Political willingness to engage in criminal justice sector reforms

**PRE-CONDITIONS**

- Judges have the capacity and ability to declare inadmissible evidence suspected to have been obtained through torture
- Judges & prosecutors have the capacity and ability to identify suspected cases of torture
- Judges & prosecutors have the capacity and ability to effectively investigate and prosecute complaints of torture in line with international standards
- Lawyers have the capacity and ability to challenge evidence suspected as having been obtained through torture or ill-treatment
- Judges and prosecutors have the capacity and ability to challenge pre-trial detention decisions
- Lawyers have the capacity and will to bring cases of torture to the authorities
- National legislation in accordance with UNCAT
- Political willingness to engage in criminal justice sector reforms

**FIGURE 1: OVERVIEW OF KEY ASPECTS OF DIGNITY STATE DIALOGUE THEORY OF CHANGE**
8. BIBLIOGRAPHY


Danish Ministry of Foreign Affairs (2010) “Justice Sector Reform”


Jordan’s National Report to the UN Committee against Torture (2014)


8.1 FURTHER READINGS

Programme specific documents are available on DIGNITY’s website www.dignity.dk, including the following:

Jordan:

• Guidelines for prosecutors and judges on investigating cases of torture (Arabic and English).

• Guidelines for prosecutors and judges on regulating pre-trial detention (Arabic and English).

• Guidelines for lawyers on the regulation of pre-trial detention (Arabic and English).

• Recommendations from the Dead Sea Conference, 2013 and 2015 (Arabic and English).

• Jo Baker and Elna Søndergaard: Women in Detention in Jordan (2014), DIGNITY publication Series on Torture and Organised Violence # 9 (English).

• Rights Prior to Trial (MIZAN) (Arabic and English).

• Towards a Law against Torture (MIZAN and DIGNITY)

• Trainers for Trainers’ manual on the guidelines on investigating torture (Arabic).

• Detention centre visit checklist for prosecutors (Arabic and English).

• Dr. Hana al-Gallal (2013): A study to specifically identify the obstacles to justice for torture victims in Jordan (English).

Tunisia:

• The role of the justice sector in combating torture in Tunisia: a guide for judges and prosecutors.

• Recommendations from the November 2014 High Level Seminar and the December 2016 High Level Seminar.

• Trainers for trainers’ manual on the guidelines for investigating torture (Arabic).
Since 1982 DIGNITY – Danish Institute Against Torture has worked with torture prevention and rehabilitation of torture victims. During this time, we have built valuable expertise together with partners in health, human rights and development aid all over the world.

It is the mission of DIGNITY to be the leading global organisation within research-based prevention of torture and violence and rehabilitation of traumatized victims. We strive to make our knowledge and research available to our partners, relevant stakeholders and the general public. For this purpose, DIGNITY edits and publishes the DIGNITY Publication Series on Torture and Organised Violence. The publications in the series are available free of charge. The findings, interpretations, and conclusions expressed in this series do not necessarily reflect the views of DIGNITY.