



# National Preventive Mechanisms Directory: Americas

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## National Preventive Mechanisms (NPMs)

According to Article 17 of the [Optional Protocol to the UN Convention against Torture \(OPCAT\)](#), every State party must establish its National Preventive Mechanism (NPM) within one year of having ratified the instrument unless, at the time of the ratification, it enters a declaration in accordance with Article 24 postponing this deadline.

There are currently 83 States parties to OPCAT and the present NPM Directory lists all these States parties below according to the regional division adopted by the Subcommittee on Prevention of Torture (SPT). However the HRIC has information only about 64 established NPMs for which individual entries can be found below.

The NPM Directory holds fundamental information about all the designated National Preventive Mechanisms (NPMs) around the world thus providing its users with quick and easy access to the basic information about each NPM. It pulls together key background information on each designated NPM as well as hosts links to the published material of the individual NPMs such as their Annual Reports or SPT's NPM advisory visit reports.

The NPM Directory is not intended to cover all aspects of each NPMs' mandate which is done by such excellent resources as [APT's OPCAT Database](#) or the information about the [designated NPMs](#) or [annual reports](#) available from the [SPT's website](#) or indeed the information from the specific websites of each individual NPMs to which all users are referred to for further particulars.



## Argentina

### The NPM designated

The National System to Prevent Torture and other cruel, inhumane and degrading treatment, comprising:

- National Committee for the Prevention of Torture; composed of the following 13 members:
- 6 Parliamentary representatives,
- The Prison Ombudsperson,
- 2 representatives of the local preventative mechanisms (from the provinces) elected by the Federal Council of LPMs,
- 3 representatives of civil society organisations, and
- 1 representative of the Human Rights Secretariat of the Ministry of Justice and Human Rights.
- A Federal Council of Local Preventive Mechanisms;
- Local Preventive Mechanisms to be designated in the 24 provinces.

### Website

*No website*

### Date of the official NPM designation

15 January 2013

### Date of the OPCAT ratification

15 November 2004

### Mode of NPM designation

The [Law on the National System to Prevent Torture \(PDF, 248kB\)](#) was adopted on 28 November 2012 and promulgated on 7 January 2013.

[National System to Prevent Torture regulating Decree 465/2014 \(9 April 2014\)](#).

(PLEASE NOTE that in accordance with Article 2 of the Argentinean Civil Code, unless the dispositions say otherwise, a law enters into force 8 days after its publication).

### Composition of the NPM

The Argentinean NPM is a new entity created for the purposes of NPM and is comprised of multiple institutions.

Thus far the following provinces have designated their NPMs:

[Chaco \(PDF, 78kB\)](#): Provincial Committee for the Prevention of Torture and Ill-treatment (legislation adopted on 1 February 2010);

[Mendoza \(PDF, 168kB\)](#): Provincial Commission for the Prevention of Torture and Ill-treatment (legislation adopted on 16 May 2011);

[Misiones: Law IV - No 65 \(28 August 2014\) \(PDF, 372kB\)](#)

[Rio Negro](#): Committee of Evaluation of Follow-up and Implementation of the CAT (legislation adopted on 10 January 2011);

[Salta \(PDF, 39kB\)](#): Commission for the Prevention of Torture and Ill-Treatment (legislation adopted on 12 September 2012);

[Tucuman \(PDF, 384kB\)](#): Provincial Commission for the Prevention of Torture and Ill-treatment (legislation adopted on 20 September 2012).

### Annual Reports and other documents

[Report of the Chaco Provincial Committee for the Prevention of Torture and Ill-Treatment June 2012-March 2013 \(PDF, 343kB\)](#)

### Interaction with the SPT

SPT carried out a regular in-country visit to Argentina on 18-27 April 2012. Following this visit the State party requested the publication of the [SPT visit report \(PDF, 365kB\)](#). The State party has also requested the publication of its [replies to the SPT visit report \(PDF, 159kB\)](#).



## Belize

Further information to come.



## Bolivia

<b>The NPM designated</b>	The Service for the Prevention of Torture
<b>Website</b>	<i>No website</i>
<b>Date of the official NPM designation</b>	30 December 2013
<b>Date of the OPCAT ratification</b>	23 May 2006
<b>Mode of NPM designation</b>	<p>On 30 December 2013 Bolivia adopts the <a href="#">Law No 474 (PDF, 7kB)</a> establishing the Service for the Prevention of Torture to perform the NPM mandate.</p> <p>It enacted <a href="#">Decree No 2082 (PDF, 22kB)</a> implementing the NPM Law (20 August 2014).</p>
<b>Composition of the NPM</b>	APT reports that according to the law, the Service will be an entity attached to the Ministry of Justice.
<b>Annual Reports and other documents</b>	No annual reports as of yet.
<b>Interaction with the SPT</b>	SPT carried out a regular in-country visit to Bolivia from 30 August - 8 September 2010. The State party has not requested the publication of the visit report.



## Brazil

### The NPM designated

[Federal NPM](#): National System to Prevent and Combat Torture (Sistema Nacional de Prevenção e Combate à Tortura) (multiple institutions)

NPMs at the level of states:

Alagoas: State Mechanism to Prevent and Combat Torture (new specialised institution)

Rio de Janeiro: Mechanism to Combat and Prevent Torture (new specialised institution)

Espirito Santo: State Mechanism to Prevent and Combat Torture (new specialised institution)

Paraíba: State Mechanism to Prevent and Combat Torture (new specialised institution)

Rondonia: State Mechanism to Prevent and Combat Torture (new specialised institution)

Pernambuco: State Mechanism to Prevent and Combat Torture (new specialised institution)

Minas Gerais: State Mechanism to Prevent and Combat Torture (new specialised institution)

### Website

*No website*

### Date of the official NPM designation

2 August 2013

### Date of the OPCAT ratification

12 January 2007

### Mode of NPM designation

Federal [NPM: Law No. 12.847 \(PDF, 145kB\)](#) (2 August 2013)

Algoas: [Law No.7.141/2009 \(PDF, 45kB\)](#) (23 December 2009)

Rio de Janeiro: [Law No. 5778/2010 \(PDF, 85kB\)](#) (30 June 2010)

Espirito Santo: [Law No. 10.006 \(PDF, 240kB\)](#) (26 April 2013)

Paraíba: [Law No. 9413 \(PDF, 3,516kB\)](#) (13 July 2011)

Pernambuco: [Law No. 14.863 \(PDF, 32kB\)](#) (7 December 2012)

Rondonia: [Law No. 3.262 \(PDF, 3,189kB\)](#) (5 December 2013)

Minas Gerais: [Law No. 21.164 \(PDF, 37kB\)](#) (17 January 2014)



## Brazil

### Composition of the NPM

Federal NPM: Article 2 of Law N° 12.847: National System to Prevent and Combat Torture is composed of:

- National Committee to Prevent and Combat Torture
- National Preventive Mechanism
- National Council of Criminal and Penitentiary Politics

Article 3 of Law N° 12.847: National System to Prevent and Combat Torture will be integrated with:

- Preventive mechanisms and committees at state level
- Organs of the Judiciary which work with youth justice, the military and the execution of criminal sentences
- Human rights commissions of federal, state, district and municipal legislatures
- Organs of the Public Prosecution Office externally control police activity, by the investigators and prosecutors involved in the military, youth justice, citizen protection or execution of criminal sentences
- Public defenders (≈legal aid lawyers)
- Community councils and state and district penitentiary councils
- Ombudspersons and magistrates for the police, district, state and federal penitentiary systems, and ombudspersons related to the prevention and combatting of torture
- Human rights councils at the state, municipal and district level
- Councils of guardianship and child and adolescent rights councils
- Non-governmental organizations with recognized experience in combatting torture

National Preventive Mechanism is composed of eleven members for a three-year mandate with relevant skill and knowledge. Selection is carried out by National Committee to Prevent and Combat Torture, who members will be selected by President of the Republic.

### Annual Reports and other documents

No annual reports for the federal NPM as of yet.

[Rio de Janeiro NPM annual report for 2012 \(PDF, 1,640kB\)](#).

### Interaction with the SPT

SPT carried out a regular visit to Brazil on 19-30 September 2011. Following this visit Brazil requested the publication of [SPT's visit report \(PDF, 850kB\)](#) and thereafter also of its [government's replies to the SPT report. \(PDF, 686kB\)](#). [First response from SPT \(March 2014\) \(PDF, 105kB\)](#); [Brazil's reply to SPT's first response \(March 2014\) \(PDF, 246kB\)](#).





## Chile

<b>The NPM designated</b>	National Human Rights Institute
<b>Website</b>	<a href="http://www.indh.cl/">http://www.indh.cl/</a>
<b>Date of the official NPM designation</b>	28 December 2009
<b>Date of the OPCAT ratification</b>	12 December 2008
<b>Mode of NPM designation</b>	<a href="#">The National Human Rights Institute was established by law (PDF, 71kB)</a> on 24 November 2009 and while this law does not contain any provisions on NPM, on 28 December 2009, the government of Chile sent an official communication to the SPT designating the National Human Rights Institute as the NPM.
<b>Composition of the NPM</b>	<p>There is no information on whether there is a separate unit established within the Institute to carry out the NPM mandate.</p> <p>The Institute itself is composed of 11 advisers (two elected by the President of the Republic, two by the Senate, two by the Parliament, one by the Faculties of Law and four by institutions linked to the defence and promotion of Human Rights).</p>
<b>Annual Reports and other documents</b>	No separate NPM reports located. However, the National Human Rights Institute prepares annual Human Rights Reports which contain some information about the NPM: <a href="#">2010 (PDF, 2,601kB)</a> , <a href="#">2011</a> , <a href="#">2012</a> and <a href="#">2013</a> .
<b>Interaction with the SPT</b>	SPT has not visited Chile.



## Costa Rica

<b>The NPM designated</b>	National Preventive Mechanism of Torture (Mecanismo Nacional de Prevención) (under Ombudsperson's Office ( <i>Defensoría de los Habitantes</i> ))
<b>Website</b>	<a href="http://www.dhr.go.cr/prevencion_de_la_tortura/index.html">http://www.dhr.go.cr/prevencion_de_la_tortura/index.html</a>
<b>Date of the official NPM designation</b>	19 February 2007
<b>Date of the OPCAT ratification</b>	25 November 2005
<b>Mode of NPM designation</b>	<a href="#">Executive Decree N° 33568-RE-MSP-G-J (PDF, 10kB)</a> appoints Ombudsperson's Office to carry out visits under OPCAT within the framework of visits already carried out by the Ombudsperson's Office.  <a href="#">A draft law (PDF, 159kB)</a> to establish the NPM was put before the legislature in 2012 and has passed the first stage of the legislative process.
<b>Composition of the NPM</b>	There is a separate NPM Unit within the Ombudsperson's Office comprised of two lawyers and one political scientist; the Unit may share resources, eg medical doctor, with Ombudsperson's Office.
<b>Annual Reports and other documents</b>	Annual Report <a href="#">2009 (PDF, 362kB)</a> , <a href="#">2010 (PDF, 454kB)</a> , <a href="#">2011 (PDF, 1,157kB)</a> , <a href="#">2012 (PDF, 1,081kB)</a> .
<b>Interaction with the SPT</b>	SPT has not visited Costa Rica.



## Ecuador

<b>The NPM designated</b>	Ombudsperson's Office
<b>Website</b>	<a href="http://www.dpe.gob.ec/">http://www.dpe.gob.ec/</a>
<b>Date of the official NPM designation</b>	February 2012
<b>Date of the OPCAT ratification</b>	20 July 2010
<b>Mode of NPM designation</b>	APT report that in November 2011 the Ombudsman issued a resolution to regulate its functions as NPM which was based on the mandate to prevent torture granted to the Office under the new Constitution. This decision was endorsed by the Ministry of Foreign Affairs which in February 2012 notified the SPT that the Ombudsman of Ecuador has been designated as NPM.
<b>Composition of the NPM</b>	There is a new NPM Unit established with the Office.
<b>Annual Reports and other documents</b>	No annual reports as of yet.
<b>Interaction with the SPT</b>	SPT carried out an NPM advisory visit to Ecuador in 2014.



## Guatemala

<b>The NPM designated</b>	National Mechanism to Prevent Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
<b>Website</b>	<i>No website</i>
<b>Date of the official NPM designation</b>	9 November 2010
<b>Date of the OPCAT ratification</b>	9 June 2008
<b>Mode of NPM designation</b>	<a href="#">Legislative Decree 40-2010 (PDF, 843kB)</a> of the Congress of the Republic of Guatemala (9 November 2010).
<b>Composition of the NPM</b>	<p>This is a new, specialised mechanism created to carry out the NPM mandate which is still in the process of being established.</p> <p>According to the Decree, the NPM will consist of three bodies (see Arts 7, 8, 17 and 30 of the Decree):</p> <ul style="list-style-type: none"><li>• National Office of Prevention, composed of five reporters (and of 5 substitutes if required), elected for the period of five years and eligible for re-election for further five year period. These reporters are to be specialists in human rights and people's rights law.</li><li>• The National Office is assisted in its work by the 'Secretaria Ejecutiva' (Executive Secretary).</li></ul> <p>Moreover, the National Office will have a Consultative Counsel composed of five people who are elected for the period of three years. The candidates for these posts are to be proposed by NGOs working on human rights.</p>
<b>Annual Reports and other documents</b>	No annual reports as of yet.
<b>Interaction with the SPT</b>	SPT has not visited Guatemala.



## Honduras

<b>The NPM designated</b>	National Committee for the Prevention against Torture (CONAPREV)
<b>Website</b>	<a href="http://www.conaprev.gob.hn/index.php">http://www.conaprev.gob.hn/index.php</a>
<b>Date of the official NPM designation</b>	5 December 2008
<b>Date of the OPCAT ratification</b>	23 May 2006
<b>Mode of NPM designation</b>	<a href="#">A new law on the NPM (PDF, 473kB)</a> (Congressional Decree No 136-2008) came into force on 5 December 2008.
<b>Composition of the NPM</b>	This is a new specialised institution established to carry out the NPM mandate.
<b>Annual Reports and other documents</b>	<a href="#">Annual Report 2010-11 (PDF, 664kB)</a> .
<b>Interaction with the SPT</b>	<p>SPT carried out a regular visit to Honduras on 13-22 September 2009 and Honduras has requested the publication of <a href="#">SPT's report (PDF, 548kB)</a> following the visit.</p> <p>SPT also carried out a NPM advisory visit to Honduras on 30 April - 4 May 2012 and <a href="#">SPT's report to the NPM has been made public (PDF, 250kB)</a>.</p>



## Mexico

<b>The NPM designated</b>	National Human Rights Commission (Tercera Visitaduría)
<b>Website</b>	<a href="http://www.cndh.org.mx/node/908133">http://www.cndh.org.mx/node/908133</a>
<b>Date of the official NPM designation</b>	22 June 2007
<b>Date of the OPCAT ratification</b>	11 April 2005
<b>Mode of NPM designation</b>	<a href="#">Inter-ministerial agreement (PDF, 1,194kB)</a> with the Human Rights Commission and National Human Rights Commission's regulation (Article 61).
<b>Composition of the NPM</b>	There is a separate NPM established within the Commission, comprised of 23 personnel.
<b>Annual Reports and other documents</b>	Annual Reports <a href="#">2008 (PDF, 124kB)</a> , <a href="#">2009 (PDF, 267kB)</a> , <a href="#">2010 (PDF, 198kB)</a> and <a href="#">2011 (PDF, 680kB)</a> .
<b>Interaction with the SPT</b>	SPT carried out a regular visit to Mexico on 27 August – 12 September 2008. Following this, Mexico requested the publication of <a href="#">SPT's report (PDF, 623kB)</a> as well as of its <a href="#">government first response (PDF, 1,072kB)</a> and <a href="#">second response (PDF, 1,032kB)</a> .



## Nicaragua

<b>The NPM designated</b>	Ombudsperson's Office
<b>Website</b>	<a href="http://www.pddh.gob.ni/">http://www.pddh.gob.ni/</a>
<b>Date of the official NPM designation</b>	18 January 2012
<b>Date of the OPCAT ratification</b>	25 February 2009
<b>Mode of NPM designation</b>	<a href="#">Presidential Agreement (PDF, 236kB)</a> of 16 January 2012 designated the Ombudsperson's Office as the NPM.
<b>Composition of the NPM</b>	No information.
<b>Annual Reports and other documents</b>	No annual reports as of yet.
<b>Interaction with the SPT</b>	SPT has announced it will carry out a regular visit to Nicaragua in 2014.



## Panama

Further information to come.





## Paraguay

<b>The NPM designated</b>	National Preventive Mechanism Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment
<b>Website</b>	<i>No website</i>
<b>Date of the official NPM designation</b>	27 April 2011
<b>Date of the OPCAT ratification</b>	2 December 2005
<b>Mode of NPM designation</b>	<a href="#">Law N° 4288 of the Congress (PDF, 1,268kB)</a> on the establishment of NPM of 27 April 2011.
<b>Composition of the NPM</b>	<p>This is a new specialised institution created to carry out the NPM mandate.</p> <p>The Law prescribes the following NPM composition:</p> <ul style="list-style-type: none"><li>• A National Commission on Prevention, which chairs and represents the Mechanism (composed of 9 Commissioners (6 permanent members and 3 substitutes), elected by a Selecting Body)</li><li>• Escabinos (citizens)</li><li>• Officials (civil servants), either permanent or temporary employed for specific tasks</li><li>• Civil society organizations</li></ul>
<b>Annual Reports and other documents</b>	No annual reports as of yet.
<b>Interaction with the SPT</b>	<p>SPT carried out a regular visit to Paraguay on 10-16 March 2009. Following this visit, Paraguay requested the publication of <a href="#">SPT's report (PDF, 575kB)</a> as well as its <a href="#">government's replies (PDF, 299kB)</a>.</p> <p>SPT also carried out a follow-up visit to Paraguay on 13-15 September 2010. Following this visit, Paraguay once again requested the publication of <a href="#">SPT's report on follow-up visit (PDF, 309kB)</a> as well as its <a href="#">government's replies to follow-up visit report (PDF, 326kB)</a>.</p>



## Peru

<b>The NPM designated</b>	Ombudsperson's Office
<b>Website</b>	<a href="http://www.defensoria.gob.pe/">http://www.defensoria.gob.pe/</a>
<b>Date of the official NPM designation</b>	11 June 2014
<b>Date of the OPCAT ratification</b>	14 September 2006
<b>Mode of NPM designation</b>	APT report that the Ombudsperson's office was designated as NPM through a modification of the Organic Law of the institution (Bill 1618/2012, modifying Law No 26.520) which was approved by the Congress on 11 June 2014.
<b>Composition of the NPM</b>	It is unclear whether a separate NPM Unit has been established within the Office.
<b>Annual Reports and other documents</b>	No annual reports as of yet.
<b>Interaction with the SPT</b>	SPT carried out a regular visit to Peru from 10-20 September 2013; the State Party has not requested the publication of the visit report.



## Uruguay

<b>The NPM designated</b>	National Human Rights Institution
<b>Website</b>	<i>No website</i>
<b>Date of the official NPM designation</b>	27 January 2009
<b>Date of the OPCAT ratification</b>	8 December 2005
<b>Mode of NPM designation</b>	The National Human Rights Institution was established at the same time as Uruguay ratified OPCAT and thus it was written in the <a href="#">Law On the National Human Rights Institution (PDF, 221kB)</a> that it should carry out the NPM mandate (see Article 83).
<b>Composition of the NPM</b>	National Human Rights Institution was established at the same time as it was designated to carry out the NPM mandate. It is unclear whether there is a separate NPM Unit.
<b>Annual Reports and other documents</b>	No annual reports as of yet.
<b>Interaction with the SPT</b>	SPT has not visited Uruguay.