

What are multiple body NPMs?

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Multiple body NPMs are, as the name suggests, a model of a NPM that is comprised of several different institutions. In accordance with Article 17 of the OPCAT, each institution is required to comply with OPCAT and should be independent from state authorities and have the necessary mandate and powers.

A small number of countries have designated a multiple body NPM. Some multiple body NPMs comprise only two institutions, while others are much bigger comprising more than twenty institutions. Institutions that are part of multiple body NPMs can include national human rights commissions, ombuds institutions, new specialised institutions, independent inspectorate bodies, specialised commissions, and monitoring boards. The number of institutions and the type of institutions comprising a multiple body NPM is dependent on the country itself (including the population, the size of the country, and what institutions already exist).

The NPM may be comprised of institutions each responsible for a certain type of place of detention and/or thematic area, by institutions in different geographical areas, and/or institutions in different jurisdictions.

What are the different possible structures for multiple body NPMs?

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- Split by type of place and/or theme. A multiple body NPM may be comprised of institutions split by type of place and/or theme. Each institution may be responsible for monitoring a specific type of place of detention. For example, one institution may be responsible for prisons while another is responsible for psychiatric institutions. Each institution may be responsible for a certain theme, for example, one institution may be responsible for places of detention where children are held while another institution may be responsible for healthcare in detention. In designating this kind of NPM, it is important to ensure that all potential types of places of detention are being monitored by at least one institution.
- Federal or decentralised. In federal or decentralised states, a multiple body NPM may include one or several institutions in each jurisdiction. It might also include institutions with mandates and powers that cut across a number of jurisdictions. Together, the NPM system should cover all jurisdictions. If there are places of detention under the responsibility of national authorities, it is essential that an institution is responsible for monitoring these places of detention as well.
- Geographical. A multiple body NPM may be comprised of institutions based in different regions or areas. They are responsible for monitoring places of detention within a certain area of the country. Together all the NPM institutions cover the whole country. In designating an NPM like this it is essential that all areas of the country are covered, including those on islands or other non-contiguous territories.
- Combination of thematic and federal or geographical. A multiple body NPM may be a mixture of bodies split by type of place and/or theme and/or by geography. Some NPMs are made up of institutions that monitor a certain type of place or theme within one area of the country. The NPM together monitors all types of places of detention in all areas of the country.

What are some of the advantages and challenges faced by multiple bodies as NPM?

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- Existing institutions with relevant expertise and powers. Within a country an institution or institutions may already exist prior to ratification of OPCAT and be responsible for monitoring places of detention. For example, an independent prison inspectorate or a health commission. Instead of creating a new institution or choosing one institution as the NPM, several existing institutions can be designated as part of a multiple body NPM that takes advantages of this existing expertise. As with ombuds institutions and national human rights commissions, changes will almost always have to be made to the structure, mandate, and/or powers of these institutions in order to comply with OPCAT. It is also very likely that additional resources will be needed. The NPM may comprise only existing institutions, or may be a mixture of existing institutions and new specialised institutions. The number of institutions and the overall composition of the NPM may also change over time.
- Federal or decentralised states. In federal or decentralised states, individual jurisdictions may be partly or entirely responsible for certain areas of government. Responsibility for places of detention may be with state or local authorities, the central government or both. For example, a central government may be responsible for immigration detention while local authorities may be responsible for prisons and juvenile detention. Multiple body NPMs, depending on the type, may allow for more effective oversight of places at these different levels. Some OPCAT states have designated so called local preventive mechanisms (LPM) in different states and territories. In such places, the NPM system includes institutions across the states or territories, covering the whole country, as well as (in some cases) at the federal or national level. A significant challenge for this type of NPM is to ensure it maintains coherence and harmony across the states or territories.
- The multiple NPMs in federal or decentralised states may be existing institutions, new specialised bodies, or a combination. The number of institutions and the overall composition of the NPM may change over time.
- Geographical factors. While a country may not be made up of federal or decentralised states there may still be geographical reasons that a multiple body NPM makes sense. For example, different regions may experience particular detention issues or the size of the country may mean area based bodies are more practical and in closer proximity to the places they monitor. In such cases, the NPM may comprise institutions across the different regions, which together cover the whole of the country. A NPM such as this will need to ensure it maintains coherence and harmony in its approach and working methods. Such NPMs may include existing institutions, new specialised bodies, or a combination. The number of institutions and the overall composition of the NPM may change over time.

What are the key budget and financial considerations for a multiple body NPM?

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[Article 18\(3\)](#) requires NPMs to be given adequate funding. While an existing institution may already be responsible in some way for monitoring a certain place or types of places of detention the designation of that institution as a NPM should not be treated as continuing business as usual. Being part of the NPM is a fundamentally different role. This means a larger budget will be needed to ensure fulfilment of the new role. A new institution will also need to be given adequate funding. The multiple bodies of a NPM may be funded in different ways. Thought needs to be given to ensuring adequate funding for all the institutions through various funding mechanisms as well as to adequate funding for the NPM as a whole. This is a particular challenge faced by multiple body NPMs. Some institutions may receive more funding than others for their OPCAT role leading to a discrepancy between the ability of institutions to carry out their NPM mandate. Funding must be sufficient to allow each institution to monitor the places of detention within its mandate, and to allow the coordination body to carry out its role.

While institutions may be funded separately, funding for the NPM as a whole needs to be considered. Multiple body NPMs undertake joint work, for example producing joint reports on thematic issues, undertaking joint visits, and attending joint training. Funding for joint work may be through each separate institution of the NPM, through funding for the NPM as a whole, or through funding for the coordinating body.

How is a multiple body NPM coordinated?

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For the multiple institutions to operate as one NPM the institutions need to be coordinated in some way. The NPM will be stronger, more effective, and more efficient if the bodies work well together.

Ways to enable coordination include regular meetings both at leadership and operational levels, joint training, discussing common issues, sharing experience and best practice, undertaking joint visits, and preparing joint publications. This depends on the NPM and the institutions that comprise it (the number of institutions, their resources, and the places of detention they are responsible for monitoring).

- NPM coordinator. An institution should be identified as the NPM coordinator. If a coordinating body has been designated by the state this is their responsibility. If an institution has not been designated as the NPM coordinator, the NPM institutions can choose among themselves which institution shall be the coordinating body, either on a long term basis or on rotation over a specific period of time. A coordinating group of a few NPM institutions may also be chosen. It is best practice for the coordinating body to discuss their role and how it can be implemented with the other NPM institutions. Some NPMs have a job description of the coordinating NPM role.
- Coordination in federal or decentralised states. In federal or decentralised states, where there are several NPM institutions at different levels of government, it is good practice to coordinate both at a local level, and at a national level.
- Thematic groups. Some multiple body NPMs have coordinating groups based on themes, for example a group comprising NPM institutions that monitor places where children may be detained. This group can focus on issues arising for that specific theme or group of people, and provide advice and recommendations. These thematic groups can be a particularly positive feature of multiple body NPMs.

Which body liaises with the Subcommittee on Prevention of Torture, and other international bodies?

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NPMs have the right to contact and meet with the Subcommittee on the Prevention of Torture ([Article 20\(f\)](#)) and many NPMs liaise with international bodies. A multiple body NPM may choose one institution to be the contact point, such as the coordinating body, or each institution may wish to be in contact with the SPT individually.

How can multiple bodies create an NPM identity and who “is” the NPM?

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The NPM is all the institutions together. Each separate institution is a part of the NPM. The NPM as a whole should have coherence in its communications, goals, strategies, and approaches. All new multiple body NPMs should discuss their goals and [strategies](#) as NPM, and their internal organisation and work practices. This discussion could include institutional practices, the management of knowledge and information, decision-making processes, [engagement with civil society](#), [engagement with authorities](#), [communications strategies](#), and responding to common issues. Discussions such as these can continue for ongoing evaluation and development, and to review the ways in which the NPM as a whole is working. While a NPM institution may have a wider mandate the institution must also identify itself as a NPM. It is critical for an existing body to understand that becoming a NPM is not business as usual and to understand the preventive mandate of OPCAT. Existing mandates and thematic work may strengthen a future NPM and, vice versa, NPM work may strengthen existing mandates. Any business planning, expectations, or strategies could include discussion on the new NPM role.

What kind of reports may multiple body NPMs produce?

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Annual report. Article 23 of the OPCAT requires states parties to “publish and disseminate the annual reports of the national preventive mechanisms”. Although this obligation is formulated as an obligation of the state, it is a clear requirement for NPMs to produce such report every year.

Multiple body NPMs should produce one consolidated annual report. This is often in addition to individual annual reports by each body covering their activities beyond their OPCAT mandate. The report reflects key recommendations and issues across the NPM.

Thematic reports. It is likely there will be common issues across the NPM institutions. Some NPMs have chosen to undertake thematic work together and publish reports on joint thematic issues. This is a positive feature of multiple body NPMs. This may include all or only some of the institutions. NPMs may do this on a regular basis or may do so as an issue arises. The institutions can leverage coverage of places of detention, and expertise when working together on a thematic issue, and give visibility to a certain issue that may exist across different detention settings or across different areas of the country.