Eradication of torture in the world

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The European Parliament adopted by 608 votes to 3, with 27 abstentions, a resolution on the eradication of torture in the world.

Parliament noted that although the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is a key international norm, provided for in both UN and regional human rights conventions, torture still persists worldwide.

Whilst welcoming the inclusion of three actions relating to the eradication of torture in the EU Action Plan on Democracy and Human Rights, Parliament emphasised the need for **specific and measurable benchmarks** to assess their timely implementation, in partnership with civil society. It recommended that a forthcoming **revision of the Action Plan** define more ambitious and specific actions to eradicate torture, such as more efficient information- and burden-sharing, training and joint initiatives with UN field offices and the relevant UN Special Rapporteurs and other international actors, such as the Organisation for Security and Cooperation in Europe (OSCE) and the Council of Europe, along with support for the establishment and strengthening of regional torture prevention mechanisms.

Parliament, on the other hand, welcomed the fact that the EU Guidelines on torture reflect a holistic policy approach, including the promotion of an **adequate legislative and judicial framework** for:

- the effective prevention and prohibition of torture,
- monitoring of places of detention,
- efforts to address impunity,
- the full and effective rehabilitation of torture victims, backed up by credible, consistent and coherent action.

Parliament and civil society should be more involved in the assessment exercise in respect of the EU Guidelines on torture.

The Commission, the EEAS and the Member States should undertake periodic reviews of the implementation of Council Regulation (EC) No 1236/2005 banning the trade of torture and capital punishment equipment, and to promote that regulation worldwide as a viable model for enforcing an effective ban on torture tools.

In this regard, Parliament took note of the recent Commission proposal with a view to amending the Regulation and reiterated its call for the insertion of a '**torture end-use catch-all clause**' into the regulation in order to allow Member States, on the basis of prior information, to license or refuse the export of any items which pose a substantial risk of being used for torture, ill-treatment or capital punishment.

Death penalty: maintaining that the EU should take a more determined stand, Parliament called on the EU institutions and the Member States to **strengthen their commitment and political will with a view to securing a worldwide moratorium on capital punishment**. It emphasised the need to interpret the respective EU guidelines on the death penalty and torture as cross-cutting. It considered deplorable the physical and psychological isolation of, and pressures on, prisoners on death row. Parliament reiterated the need for a comprehensive legal study and discussions at UN level on the links between the application of the death penalty, including the death row phenomenon of severe mental trauma and physical deterioration, and the prohibition on torture and cruel, inhuman or degrading treatment or punishment.

In this respect, Parliament is deeply concerned at recent reports of **EU-based companies supplying chemicals used for lethal injection drugs in the USA**. It welcomed, in this connection, the development by a number of European pharmaceutical companies of a contractual export and control system aimed at ensuring that the product Propofol is not used for lethal injections in countries still applying the death penalty, including the USA.

Parliament also supported an immediate ban on **stoning**.

Furthermore, the EU is called upon to:

- take political, diplomatic and financial measures to prevent the torture of **children;**
- address the use of the **internet** by adults and children for the psychological torture of children and harassment through social media.

Third countries are called upon to cooperate fully with the UN Special Rapporteur, the Committee against Torture and regional anti-torture bodies such as the Committee for the Prevention of Torture in Africa, the European Committee for the Prevention of Torture (CPT) and the Organisation of American States (OAS) Rapporteur on the Rights of Persons Deprived of Liberty. Members encouraged the Member States and the EEAS systematically to take into account the recommendations of the Special Rapporteur and other bodies for follow-up in contacts with third countries, including as part of the Universal Periodic Review (UPR) process. Support should be given to third countries to enable them to implement effectively the recommendations of the relevant UN treaty bodies.

In order to improve the EU's credibility in this area, the EU should strengthen their commitment and political will with a view to securing a worldwide moratorium on capital punishment. The Commission is called upon to draw up an **action plan with a view to creating a mechanism for listing and imposing targeted sanctions** (travel bans, freezing of assets) against officials of third countries (including police officers, prosecutors and judges) involved in grave human rights violations, such as torture and cruel, inhuman or degrading treatment. The resolution noted that strengthening the principle of **zero tolerance for torture** remains at the core of EU policies and strategies to promote human rights and fundamental freedoms, both outside and inside the EU.

The Council and the Commission encouraged their partner countries to adopt a victim-oriented approach in the fight against torture and other cruel, inhuman or degrading treatment, by paying special attention to the needs of victims in development cooperation policy. Parliament urged the EU to ensure, by means of aid conditionality, that third countries protect all human beings from torture, especially **women and girls**.

Lastly, Parliament called on the EU to encourage those countries which have not yet done so to ratify and implement the CAT and the Rome Statute, and to incorporate the relevant provisions on gender-based violence into their domestic legislation.