

## MAKING PROGRESS IN THE FIGHT AGAINST THE IMPUNITY OF TORTURERS

According to a ruling from the Appeals Chamber of the Special Court for Sierra Leone, no more amnesties will be granted to torturers. This landmark ruling is the result of a project financed by the European Commission.

This decision sets a major precedent for all other international criminal jurisdictions dealing with the impunity of torturers.

The Redress Trust – [www.redress.org](http://www.redress.org)

**Project length: 36 months (2003-2006)**

**Total cost: €1.4 million**

**Commission's financial contribution: 80% of the total**

## FACILITATING THE PROCESSING OF VICTIMS' COMPLAINTS

A project financed by the European Commission has made it possible to facilitate the processing of complaints presented by the victims of torture and ill-treatment.

The tangible result of this project can be seen in a collection of legal guides in four volumes setting forth the practices, procedures and case law of the main international systems on human rights. This type of reference teaching aid is unique in its field.

World Organisation Against Torture – [www.omct.org](http://www.omct.org)

**Project length: 36 months (2003-2006)**

**Total cost: €1.9 million**

**Commission's financial contribution: 76% of the total**

## MAKING PROGRESS IN THE FIGHT AGAINST THE PRODUCTION OF, AND TRADE IN, TORTURE EQUIPMENT

Since 30 July 2006, a Community Regulation has banned the production of, and trade in, torture equipment. The European Commission has funded a number of projects to verify enforcement of this measure.

The work conducted has made it possible to identify over 16 000 firms or companies involved in this trade. Furthermore, over 6 000 different types of torture equipment have been listed.

## SUPPORTING VICTIM REHABILITATION

The European Commission has financed a project, aimed at helping the victims of social and political violence in Latin America, which has made a significant contribution to the success of the national reconciliation process in Latin American countries.

The project's implementation has been made possible courtesy of the combined efforts of a network of over 60 campaigning human rights organisations.

In particular, the project made it possible to help victims recover their mental and physical health and improve their quality of life. It also made it possible to raise public awareness of human rights violations.

Coordinadora Nacional de Derechos Humanos – [www.dhperu.org](http://www.dhperu.org)

**Project length: 26 months (2002-2004)**

**Total cost: €0.8 million**

**Commission's financial contribution: 80% of the total**

## EU RESOURCES ASSIGNED TO PROJECTS IN THE FIGHT AGAINST TORTURE AROUND THE WORLD (2003-2007)



## A BAN ENSHRINED IN INTERNATIONAL LAW

The EU and the Member States apply all instruments provided under international law that prohibit any form of torture and ill-treatment.

As members of the Council of Europe, all EU Member States have ratified the European Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This Convention establishes a system of inspections at detention centres by the European Committee for the Prevention of Torture, in order to assess the treatment of individuals deprived of their freedom.

In addition, the Member States of the European Union have all ratified the United Nations Convention against Torture. Moreover, the EU has played a leading role in negotiations on its associated Optional Protocol and welcomed its entry into force in June 2006. This Protocol establishes an international subcommittee with the power to inspect detention centres in States that have subscribed to the protocol. Furthermore, it requires that these same States produce national mechanisms for the prevention of torture.

Each year, the United Nations International Day in Support of Victims of Torture, which is observed on 26 June, provides an opportunity to draw public attention to this despicable practice and offers the international community a chance to repeat its condemnation of torture and ill-treatment.

“ [...] **All mankind... being all equal and independent, no one ought to harm another in his life, health, liberty or possessions.** ”

John Locke (1632-1704)

## USEFUL LINKS

European Commission - EuropeAid, Cooperation office  
European Instrument for Democracy and Human Rights (EIDHR):  
[www.ec.europa.eu/europeaid/where/worldwide/eidhr/](http://www.ec.europa.eu/europeaid/where/worldwide/eidhr/)

Guidelines to EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment:  
[www.ec.europa.eu/external\\_relations/human\\_rights/torture](http://www.ec.europa.eu/external_relations/human_rights/torture)

“ **No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.** ”

United Nations Convention against Torture (1987)

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# Torture is unacceptable

## The European Union is fighting to make it a thing of the past

INTERNATIONAL DAY IN SUPPORT OF  
**TORTURE victims**  
**26 June**

[www.ec.europa.eu/europeaid](http://www.ec.europa.eu/europeaid)



EUROPEAN COMMISSION

TORTURE AND ILL-TREATMENT:  
A SERIOUS VIOLATION OF HUMAN RIGHTS STILL  
PREVALENT AROUND THE WORLD

Torture and ill-treatment are a serious infringement of the physical and psychological integrity of the individual. They constitute one of the most despicable violations of human rights and human dignity.

Several international instruments prescribe a blanket ban on these practices, without exception:

- the Universal Declaration of Human Rights (art. 5);
- the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- the European Convention for the Protection of Human Rights and Fundamental Freedoms (art. 3);
- the Charter of Fundamental Rights of the European Union (art. 4);
- the Rome Statute of the International Criminal Court, which describes these as “crimes against humanity” and as “war crimes” (art. 7 and 8).

In spite of these measures, such practices are still very widespread in many countries around the world. The European Union (EU) and its Member States are fiercely opposed to torture and ill-treatment. They are actively working to eradicate torture and also fighting against impunity for those responsible for such acts. In terms of protecting human rights, the fight against torture represents a policy priority for the European Union.



“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Universal Declaration of Human Rights (1948)

THE EUROPEAN UNION: A KEY FIGURE IN THE FIGHT  
AGAINST TORTURE AROUND THE WORLD

The EU is playing a pivotal role in the global fight against torture and ill-treatment. Within the framework of its Common Foreign and Security Policy (CFSP), the EU is striving to persuade third countries to produce and apply effective measures in order to outlaw torture. In 2001, the EU adopted “Guidelines on torture and other cruel, inhuman or degrading treatment or punishment”, aimed at providing it with a working instrument for pursuing its actions in this field.

In particular, the European Union is:

- **addressing** regularly the issue of torture within the framework of its political dialogue with third countries;
- **conducting** – both confidentially and publically, depending on the respective case – activities linked to the ratification or implementation of international instruments and requests for inspections or information in those countries;
- **promoting** the effective application of international law on this issue by highlighting safeguard measures in relation to detention centres, complaints procedures, reports, personnel training (police, military, medical, judicial) and measures for compensating and reintegrating victims;
- **supporting** projects within the framework of bilateral and multilateral cooperation, notably through the European Instrument for Democracy and Human Rights (EIDHR) and in conjunction with civil society.

Furthermore, the EU is pursuing its goals as part of the fight against torture within leading human rights defenders organisations, such as the United Nations (UN), the Council of Europe, and the Organisation for Security and Cooperation in Europe (OSCE). The EU is also supporting mechanisms provided at the international and regional levels to combat torture and ill-treatment, notably the Committee against Torture, the European Committee for the Prevention of Torture, and United Nations special rapporteurs.

It is also supporting public education and awareness-raising campaigns as well as the work of national and international non-governmental organisations (NGOs) active in this field. At the Community level, a **European Directive** laying down minimum standards for the reception of asylum seekers obliges the Member States to ensure that victims of torture receive the necessary care. Moreover, a **Community Regulation** prohibits the production of, and trade in, equipment for use in torture and the misappropriation of other equipment for such ends.



“The degree of civilisation in a society can be judged by entering its prisons.”

Fyodor Dostoevsky (1821-1881)

SOME FACTS AND FIGURES

**145** countries that are party to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (October 2007)

**34** countries that are party to the optional protocol to the United Nations Convention against Torture (October 2007)

Source: Office of the High Commissioner for Human Rights

EUROPEAN INSTRUMENT FOR DEMOCRACY AND HUMAN  
RIGHTS (EIDHR)

Since 1994, the European Commission has been supporting projects in the fields of torture prevention and the rehabilitation of torture victims all over the world. These projects are financed by the European Instrument for Democracy and Human Rights (EIDHR)<sup>1</sup>.

In essence, this instrument supports projects designed to:

- consolidate respect for human rights and fundamental freedoms in countries and regions where these rights and freedoms are most under threat;
- consolidate the role of civil society in the promotion of human rights and democratic reforms;
- support and consolidate the international and regional framework for the protection of human rights, justice, the rule of law and the promotion of democracy;
- support actions in the areas of protecting human rights defenders and the fight against the death penalty, torture and the effects of armed conflicts on children.

The EIDHR represents the main source of civil society funding in the field of the fight against torture and ill-treatment.

In particular, this instrument supports:

- activities to raise awareness of the optional protocol associated with the United Nations Convention against Torture;
- investigations of the supply of equipment for possible use in the practice of torture;
- activities for the protection and rehabilitation of torture victims, in the fight against the impunity of torturers, and to provide victims with legal aid.

“The purpose of torture is not only the extortion of confessions, of betrayal: the victim must disgrace himself, by his screams and his submission, like a human animal. In the eyes of everybody and in his own eyes. He who yields under torture is not only to be made to talk, but is also to be marked as sub-human.”

Jean-Paul Sartre (1905-1980)

The EIDHR’s overall budget for the period 2007-2013 is €1.1 billion.

Over the years, an increasing budget has been assigned to the fight against torture: from €5.5 million in 1999 to €11 million per year over the period 2007-2010. A large proportion of these funds will assist centres for the rehabilitation of torture victims, both inside and outside the European Union.

At present, the EIDHR supports activities for the **rehabilitation of torture victims in 38 countries around the world**, including 20 rehabilitation centres in 12 Member States of the EU (in which treatment is provided for people who have been the victims of torture in third countries). Moreover, the EIDHR supports activities for the **prevention of torture in 31 countries around the world**, including various networks in the fight against torture in several European States.

In 2006, the EIDHR funded 39 projects around the world in the field of torture prevention and another 56 focusing on victim rehabilitation.

1. As of 1 January 2007, it replaced the European Initiative for Democracy and Human Rights

**400 000** survivors of torture in the European Union (the vast majority of them refugees)

**16 000** refugees receiving medical, psychological and social assistance on an annual basis

**20 %** asylum seekers in the European Union who were victims of violence or torture

Source: International Rehabilitation Council for Torture Victims (IRCT)