



*Addressing the economic, social and cultural root causes of violence*

**African Human Rights NGOs meeting in Maputo to  
address the economic, social and cultural root causes of torture  
call on Governments to make Africa a torture-free continent**

**On 11 May of this year, representatives of 18 African Human Rights NGOs meeting in Maputo, Mozambique, to participate in the World Organisation Against Torture (OMCT) African regional seminar on the economic, social and cultural root causes of torture drafted and adopted the Maputo Declaration Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. In this document, the seminar participants - representing organisations from Benin, Burundi, Cameroon, Central African Republic, Congo Brazzaville, Democratic Republic of the Congo, Egypt, Ghana, Kenya, Liberia, Madagascar, Niger, Nigeria, Senegal, Togo, Zambia and Zimbabwe - express their extreme concern at the erosion of the absolute prohibition against torture and urge concerted action at both national and international levels to bring an end to this practice.**

The Maputo Declaration was drafted in the course of OMCT's regional seminar on addressing the economic, social and cultural root causes of torture and other forms of violence (7-11 May 2008). The aim of the seminar was to explore the ways in which violations of economic, social and cultural rights are linked to violence and how acting on those root causes can in turn reduce levels of violence. During the seminar, participants selected, presented and collectively analysed specific situations from their own countries and identified practical actions to address the root causes. For each case they developed concrete recommendations for Government authorities, the human rights bodies of the United Nations and other institutions, such as the European Union and private sector actors.

**The Maputo Declaration Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

The seminar participants - all engaged in fighting torture and other cruel, inhuman or degrading treatment or punishment in Africa - discussed the many serious obstacles placed in the way of their activities. To express their deepest concern at the present situation, they adopted the Maputo Declaration Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see annex) in which they call on African Governments to make the continent "*free from such practices*".



This seminar is part of a wider OMCT project designed to address the economic, social and cultural root causes of torture. The European Union through the European Initiative for Democracy and Human Rights provides substantial support for this project which is also supported by the Swiss Agency for Development and Cooperation (SDC), the Interchurch Organisation for Development Cooperation and the Karl Popper Foundation and the Foundation for Human Rights at Work.

In the Declaration, participants, “deplore the open practice and justification by certain States of torture and other cruel, inhuman or degrading treatment or punishment and the open or silent cooperation and complicity of other States in those practices that gravely undermine our daily work and provide justification to repressive regimes that practice torture”. They also express their deepest concern at attempts by certain public figures, jurists, academics and others to undermine the absolute prohibition of such practices and the complicity of some media in justifying such unlawful treatment.

The participants encourage the African Union, the European Union and the United Nations to take practical steps to reinforce their cooperation and activities against torture and other cruel, inhuman or degrading treatment or punishment and to strengthen their cooperation and support for civil society organisations engaged in the promotion and protection of human rights. They invite human rights NGOs from all over the world to join in the Declaration and ask for its widest circulation.

### ***Acting on the economic, social and cultural root causes of torture***

In the Maputo Declaration, the signatories also recognise “that violations of economic, social and cultural rights are very often the root causes of the torture and other cruel, inhuman or degrading treatment or punishment that our organisations fight against”. Indeed, on the basis of papers prepared in advance of the seminar, participants analysed specific cases in order to identify what action NGOs can take to end and prevent serious violations of human rights by acting on the poverty, inequality and discrimination at their roots. Among these situations were:

- Slavery like conditions of indigenous hunter-gatherer communities who, because of their weak economic position and marginalisation, are subjected to forced labour and denied most economic, social and cultural rights;
- Official violence inflicted on export zone workers calling for respect for their basic rights;
- Demonstrations calling for government action against rising food prices and deteriorating living conditions met with violent repression;
- Conflict over land allocation and mass evictions that led to armed resistance by populations and violent and indiscriminate repression by government forces;
- Torture and ill-treatment of detainees, including children, who are unable to afford legal defence and are not released from custody pending trial;
- Violent evictions of indigenous communities who, as a result, are subjected to ever graver violations of their economic, social and cultural rights;
- Eviction of an island community to make way for a hotel and casino complex.

These and other cases were analysed in working groups where they were enriched through an enthusiastic exchange of experience and ideas. The proposals for action that resulted are being further refined by participants in their own countries and, in cooperation with OMCT, may be presented to governments, international bodies and private sector actors.

### ***The opening ceremony and the provision of a substantive framework***

The opening ceremony on 7 May was addressed by Ambassador Glauco Calzuola, Head of the Delegation of the European Commission in Mozambique and Ambassador Thomas Litscher of Switzerland, with representatives of the United Nations Development Program and the Governments of Sweden and Finland also taking part.

In order to provide a substantive framework for the seminar's discussions, presentations based on OMCT research and experience<sup>1</sup> were made on how disrespect for economic, social and cultural rights can lead to violence and how the United Nations human rights system can be used to address those root causes (Dr. Michael Miller, OMCT Director of Research and Development). Presentations were also made on engaging with the European Union to promote economic, social and cultural rights and fight torture (Ms. Francesca Restifo, OMCT Researcher and Dr. Anna-Lena Svensson-McCarthy, Lawyer and Human Rights Consultant). In addition, a presentation on how NGOs can interface with the European Union, especially on the country level, was made by Ms. Fotini Antonopoulou of the Delegation of the European Commission in Mozambique. Further, a special session was devoted to exploring how the human rights institutions of the African Union can be used to address the issue of violence and its root causes.

Guest speakers also provided participants with examples of practical responses to violence – and violence against children in particular - in Mozambique and Southern Africa. Mr Mioh Nemoto (UNICEF Mozambique) gave an overview of the socio-economic conditions of children and women in the country and presented UNICEF's child protection activities. Ms, Nely Chimedza (International Organisation for Migration, Southern African Counter Trafficking Assistance Programme) discussed practical responses to child trafficking, and Mr. Chris Bjornestad (Save the Children, UK) presented the situation of unaccompanied and undocumented child migrants in the Southern African Region. All the presentations were followed by lively discussions with participants.

Participants expressed appreciation for having been able to deepen their understanding of the economic, social and cultural root causes of violence. They also underlined the importance of targeted action to address these root causes and called for the setting up of an African regional network of NGOs interested in the subject to exchange information and ideas. OMCT was asked to assist in this as well as to continue to provide support to African NGOs wishing to address the economic, social and cultural root causes of violence.

*If you wish to adhere to the message and principles contained in the Maputo Declaration, please contact Dr. Michael Miller, Director, Research and Development, OMCT, mm@omct.org*

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<sup>1</sup> See the OMCT publication “*Attacking the Root Causes of Torture, Poverty, Inequality and Violence: an Interdisciplinary Study*” (Geneva, September 2006), and the Report of the International Conference “*Poverty, Inequality and Violence: Is there a Human Rights Response?*” (Geneva, 4 to 6 October 2005) both available at [www.omct.org](http://www.omct.org).

## Appendix



### **The Maputo Declaration Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

The undersigned African Human Rights Non-Governmental Organisations fighting torture and other cruel, inhuman or degrading treatment or punishment and the World Organisation Against Torture (OMCT), meeting at the African Regional Seminar on Addressing the Economic, Social and Cultural Root Causes of Torture and Other Forms of Violence, held in Maputo, Mozambique, from 7 to 11 May 2008;

Recognise that violations of economic, social and cultural rights are very often the root causes of the torture and other cruel, inhuman or degrading treatment or punishment that our organisations fight against and that such violations can be effectively reduced and eliminated by action on those root causes;

Call for concerted action on the national and international levels in collaboration with other civil society partners to identify, address and act upon those root causes along with those violations of civil and political rights that make torture and other cruel, inhuman or degrading treatment or punishment possible;

Strongly reaffirm that torture and other cruel, inhuman or degrading treatment or punishment are absolutely prohibited in all circumstances by international human rights law and international humanitarian law, and that torture and other inhuman acts constitute in certain circumstances crimes against humanity under the Statute of the International Criminal Court. No circumstances can ever justify torture and other cruel, inhuman or degrading treatment or punishment and such acts must be made criminal offences in national law. States are responsible before the international community for outlawing torture and other cruel, inhuman or degrading treatment or punishment, for preventing their occurrence, for prosecuting and punishing those guilty of such acts and for providing reparation to the victims;

Strongly deplore the open practice and justification by certain States of torture and other cruel, inhuman or degrading treatment or punishment and the open or silent cooperation and complicity of other States in those practices that gravely undermine our daily work and provide justification to repressive regimes that practice torture and other cruel, inhuman or degrading treatment or punishment;

Further, express our deepest concern at attempts by certain public figures, jurists, academics and others to undermine the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment and the complicity of some media in justifying such unlawful treatment;

Emphasising that in our daily work of defending human rights and human dignity, we are witness to the devastating physical and psychological consequences that torture and other cruel, inhuman or degrading treatment or punishment inflict on the victims, such as women, men, children, youth, the poor and marginalised, indigenous peoples, minorities and others, on their family members and on society as a whole, in addition to the dehumanising effects upon those who practice torture and other forms of ill-treatment;

Welcome the conclusions of 29 April 2008 of the Council of the European Union in which it recalled "the EU's firm position to fully comply with obligations in respect of torture and other cruel, inhuman or degrading treatment or punishment, in the fight against terrorism, in particular the absolute prohibition of torture and cruel, inhuman and degrading treatment";

Call on all States to make similar statements categorically rejecting torture and other cruel, inhuman or degrading treatment or punishment;

Call, in particular, on African Governments to end torture and other cruel, inhuman or degrading treatment or punishment and to make Africa a continent free from such practices, to end impunity by identifying, prosecuting and punishing those guilty, directly or indirectly, of torture and other cruel, inhuman or degrading treatment or punishment, and to ensure justice, reparation, assistance and rehabilitation to victims of torture and other cruel, inhuman or degrading treatment or punishment;

Recognise the essential role of civil society organizations in effectively ending torture and other cruel, inhuman or degrading treatment or punishment and in efforts to ensure justice, reparation, assistance and rehabilitation for the victims;

Call for strengthening of the civil society organizations fighting torture and other forms of ill-treatment and increased cooperation with them on the part of national authorities in the fight against torture and other cruel, inhuman or degrading treatment or punishment;

Encourage the African Union, the European Union and the United Nations to take practical steps to strengthen their cooperation and activities against torture and other cruel, inhuman or degrading treatment or punishment, in particular within the framework of the Guidelines to EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment and to strengthen their cooperation and support for civil society organisations engaged in the promotion and protection of human rights;

Request all interested organisations to join with the World Organisation Against Torture in adhering to this Declaration and in circulating it widely, and invite organisations and individuals to transmit this Declaration to all African Governments, the African Union, the European Union, the United Nations and other relevant institutions.

- Action by Christians for the Abolition of Torture (ACAT), Burundi
- Action by Christians for the Abolition of Torture (ACAT), Central African Republic
- Action by Christians for the Abolition of Torture (ACAT), Togo
- Association pour les Droits de l'Homme et l'Univers Carcéral (ADHUC), Republic of the Congo
- Centre for Security and Development Studies (CSDS), Liberia
- CLEEN Foundation, Nigeria
- Comité des Observateurs des Droits de l'Homme (CODHO), Democratic Republic of the Congo
- Comité de Réflexion et d'Orientation Indépendant pour la Sauvegarde des Acquis Démocratiques (CROISADE), Niger
- Defence for Children International (DCI), Ghana
- Enfants Solidaires d'Afrique et du Monde (ESAM), Benin
- Independent Medico-Legal Unit (IMLU), Kenya
- International Commission of Jurists (ICJ), Kenya
- Land Centre for Human Rights (LCHR), Egypt
- Mouvement pour la Défense des Droits de l'Homme et des Libertés (MDDHL), Cameroon
- Rencontre Africaine pour la Défense des Droits de l'Homme (RADDHO), Senegal
- Women in Law and Development in Africa (WiLDAF), Zambia
- World Organisation Against Torture (OMCT), Switzerland
- Zimbabwe Lawyers for Human Rights (ZLHR), Zimbabwe

### **Maputo, Mozambique**

**11 May 2008**

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In addition, the following organisations and individuals adhere to and express their support for the message and principles contained in the Maputo Declaration:

- African Centre for Treatment and Rehabilitation of Torture Victims (ACTV), Uganda
- Antenna International, Switzerland
- L'Association de Défense des Droits de l'Homme au Maroc (ASDHOM), France
- Rencontre pour la Paix et les Droits de l'Homme (RPDH), Republic of Congo - Brazzaville
- Bulgarian Helsinki Committee, Bulgaria
- Centre Action Social Réhabilitation et Réadaptation pour la Victime de la Torture (SOHRAM-CASRA), Turkey
- Centre for Human Rights, Democracy and Transitional Justice Studies, Democratic Republic of Congo
- Centre for Minority Rights Development (CEMIRIDE), Kenya
- Centro de Atención Psicosocial (CAPS), Peru

- Khulumani Support Group, South Africa
- Jananeethi Institute, India
- Justiça Global, Brazil
- La Ligue Camerounaise des Droits Humains, Cameroon
- Movement for the Survival of the Ogoni People (MOSOP), Nigeria
- Nora Wilson, Toronto, Canada
- Philippine Alliance of Human Rights Advocates (PAHRA), Philippines

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