

CIVIL SOCIETY RECOMMENDATIONS FOR A COHERENT EU APPROACH TO COMBAT TORTURE

EU should define a more comprehensive internal human rights strategy that mirrors its external strategic framework and devise a corresponding action plan to guide collective EU action.

The undersigned organisations would like to raise the importance of streamlining the fight against torture across all EU policies both internally and externally.

Torture is a paradigmatic example on why such a strategy is crucial at this stage. While it is true that most competencies remain with Member States, it is essential that the EU consolidates its leading role in the fight against torture also within its borders:

- Statistics show that ¼ of migrants have been subjected to torture worldwide. This proportion increases in conflict zones. However, the EU is not an exception: international bodies such as the CPT have raised their concern about the conditions of administrative detention of migrant population, including unaccompanied minors, in various EU countries.
- The EU has established a firm compromise to promote the ratification of the Optional Protocol to the Convention Against Torture (OPCAT) by third countries. However, 4 EU Member States are still to ratify it: Latvia (current Presidency of the Council), Belgium, Slovakia (Presidency in 2016) and Ireland.
- The EU has led the fight internationally for the transposition in national legislation of a definition of torture in compliance with the Convention Against Torture (UNCAT). Our organisations welcome the current trend of including the crime of torture in national criminal legislation such as the cases of Sweden and Italy.
- Judicial cooperation between EU Member States will remain a concern for human rights organisations until clear regulations at EU level upholding international standards in areas such as but not limited to conditions of detentions are enacted. International and regional bodies have reiterated their concern about conditions of detention amounting to torture or ill treatment in various EU countries. Therefore, EU Member States could be violating their international commitments if transferring detainees to other Member States.

Therefore, our organisations recommend to COHOM and FREMP:

- 1. To closely work with the LIBE Committee in the development of a comprehensive internal human rights strategy that mirrors its external strategic framework.**
- 2. To promote legislative reform across the EU Member States concerning the definition of torture and its criminalization in domestic legislation, in compliance with UNCAT.**
- 3. To promote ratification of OPCAT by all Member States.**
- 4. To jointly work with FRA in order to ensure the full implementation of all recommendations to EU member states by international and regional bodies¹.**
- 5. To ensure that the EU renews its commitment to allocate adequate funding with regards to prevention, monitoring and rehabilitation of torture victims.**

¹ Such as the European Court of Human Rights, the Council of Europe Committee for the Prevention of Torture CPT, the UN Committee Against Torture, the UN Sub-Committee for the Prevention of Torture and the Human Rights Committee.