



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