



## **26 June International Day in Support to Victims of Torture**

On the occasion of the 26<sup>th</sup> of June 2005 – International Day in Support of Victims of Torture – Amnesty International, Fiacat, IRCT and OMCT make an appeal to the EU to take a clear and unequivocal stand in favour of the absolute prohibition of torture.

The undersigned NGOs reiterate their concerns at measures that States are taking in the “war on terror” and their attempts to justify the use of detention and interrogation practices that can amount to cruel, inhuman and degrading treatment. People are being detained by the US without due process of law in Guantánamo, Afghanistan, Iraq and other places of detention, including at secret locations. People are being transferred, including by EU member states, without legal safeguards and based on inherently flawed and ineffective “diplomatic assurances”, to countries where the practice of torture is known. In many countries, impunity persists for government officials responsible for torture and ill-treatment.

To allow the absolute prohibition of torture and other ill-treatment to be put in question in the name of security, is to undermine the essence of international human rights law and standards. The EU has an essential role to play to confront this challenge.

The undersigned NGOS call on the EU to reaffirm:

- the absolute nature of the prohibition of torture and other cruel, inhuman or degrading treatment or punishment;
- the principle of *non-refoulement* which prohibits without exception to extradite a person to a third country where he or she faces a real risk of torture and other cruel, inhuman or degrading treatment or punishment, including death penalty;
- the prohibition of the use of evidences obtained through torture or other ill-treatment;
- the right to a remedy and reparations for victims of torture and other forms of ill-treatment.

But declarations are not enough. We also urge the EU to:

- ensure that the prevention of torture and rehabilitation of victims will remain one of the key elements of the EU human rights policy toward third countries, by actively implementing the EU Guidelines on Torture, and by including an adequate level of funding in the 2006 budget and in the next Financial Perspective;

- ensure coherence between the different dimensions of EU relations with third countries still practising or accepting the use of torture, and avoid double standards depending on geopolitical interests;
- strengthen the credibility and effectiveness of the EU human rights policy by ensuring consistency between standards and actions domestically and actions and declarations to promote human rights and fight against torture in third countries;
- increase contributions to the UN Voluntary Fund for Victims of Torture and ensure that national measures in favour of asylum-seekers and refugees take into consideration the situation of torture victims.

Moreover, we urge the Member States of the EU to:

- ratify and implement the Optional Protocol to the Convention Against Torture (OPCAT);

Last but not least, we call on the European Parliament to:

- fulfil its accountability role by requesting coherent political commitments from the Council and the Commission and by controlling the implementation of the EU Guidelines on Torture and other actions as recommended above;
- ensure adequate funding for the EU policy against torture in the EU 2006 budget as well as in the next Financial Perspective;
- consider the fight against torture as one of the main priorities of its own human rights effort, in particular by ensuring awareness about and mainstreaming of this priority among all thematic and geographical committees concerned;
- ensure coherence and joint actions between external and internal committees on the internal and external dimension of the fight against torture.

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