Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 14186
14 October 2016

Strengthening international regulations against trade in goods used for torture and the death penalty

Motion for a resolution
tabled by Mr Yves CRUCHTEN and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

---

The prohibition on torture and inhuman or degrading treatment is an absolute and non-derogable human right enshrined in Article 3 of the European Convention on Human Rights and numerous international conventions. Regulating the trade and promotion in Europe of security equipment which could facilitate torture is a key step in preventing it from occurring. In a Declaration on business and human rights dated 16 April 2014, the Committee of Ministers called on Council of Europe member States to ensure that *"all business enterprises respect human rights throughout their operations, within and beyond their national jurisdictions."*

On 3 October 2016, the European Parliament voted to strengthen the existing Regulation (EC) 1236/2005 on trade in security equipment. The current prohibitions on trade of a wide range of items will now be extended to include a ban on advertising and promotion of such equipment and a ban on the brokering of trade deals between third countries. However, some loopholes have still not been addressed, particularly in relation to the provision of technical assistance and training.

According to civil society reports, security equipment with no practical use other than to inflict torture and the death penalty is still being manufactured, marketed and sold in some Council of Europe Member States. Those reports seek to implement standards to prevent this from occurring.

The Parliamentary Assembly should investigate and report on trade in security equipment in the member States of the Council of Europe, and subsequently develop appropriate rules to prevent the trade or brokering of equipment which could facilitate torture and the application of the death penalty.

Signed (see overleaf)

Signed[1]*:*

CRUCHTEN Yves, Luxembourg, SOC
BECK Marieluise, Germany, ALDE
BESELIA Eka, Georgia, SOC
BILDARRATZ Jokin, Spain, ALDE
BRASSEUR Anne, Luxembourg, ALDE
BUDNER Margareta, Poland, EC
CILEVIČS Boriss, Latvia, SOC
EFSTATHIOU Constantinos, Cyprus, SOC
GOPP Rainer, Liechtenstein, ALDE
KARAMANLI Marietta, France, SOC
LE BORGN' Pierre-Yves, France, SOC
MILEWSKI Daniel, Poland, EC
MULARCZYK Arkadiusz, Poland, EC
ÖZSOY Hişyar, Turkey, UEL
PALLARÉS Judith, Andorra, ALDE
POCIEJ Aleksander, Poland, EPP/CD
REPS Mailis, Estonia, ALDE
ROUQUET René, France, SOC
SCHWABE Frank, Germany, SOC
TRUSKOLASKI Krzysztof, Poland, ALDE
VEN Mart, van de, Netherlands, ALDE
VILLUMSEN Nikolaj, Denmark, UEL
WILK Jacek, Poland, EC
XUCLÀ Jordi, Spain, ALDE

1. ALDE: Alliance of Liberals and Democrats for Europe
EC: European Conservatives Group
EPP/CD: Group of the European People's Party
SOC: Socialist Group
UEL: Group of the Unified European Left