

Anti-torture rules: Trade MEPs call for bans on goods marketing and EU transit

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Goods or substances that may be misused for torture or execution should not be promoted for export, so as to prevent their spread, said the International Trade Committee, voting on Tuesday to strengthen EU “Anti-torture” rules. MEPs want to widen today’s EU ban to include services, e.g. marketing in expos or online catalogues, but also finance, transport and insurance. They also want to ban transit of prohibited goods via the EU and add a “catch-all” clause to allow checks on dubious new ones.

“The EU condemns the death penalty, and condemns torture wherever it occurs. With this vote, the Trade Committee supports vital technical updates that ensure tighter controls and a level playing field in Europe, without creating excessive bureaucratic burdens or restrictions on legitimate medicine use. This regulation is one piece of the bigger legislative puzzle that should ensure Europe is a strong global player that leads in terms of values such as respect for universal human rights,” said rapporteur Marietje Schaake (ALDE, NL) said after the vote.

The committee backed her report by 34 votes in favour, none against and 4 abstentions.

Ban EU export marketing of prohibited goods

MEPs inserted a prohibition on online and offline marketing and promotion of the banned goods in the EU (e.g. in online catalogues or expos) and also added compliance requirements for export services such as financial services, transport or insurance, that may contribute to the spread of goods that can be used for torture or capital punishment.

The committee asks the European Commission to set up a regular reporting and reviewing system, to be coordinated by an “Anti-torture coordination group” (one representative per EU member state), to monitor the member states’ national licensing decisions.

Update to include EU transit checks

To ensure that the EU exports to third countries do not contribute to what the EU considers “inhuman” practices, the EU is updating its 2005 “Anti-torture” regulation, which lists goods and substances that are either banned for export, such as electric chairs, finger-cuffs or cage beds, or need export clearance at EU borders, such as certain chemicals or electric shock devices.

MEPs also say the rules should ban the transit of prohibited goods via the EU.

“Catch-all” clause for flexibility

Press release

To make the regulation “future proof” and flexible enough to adapt quickly to changing technologies and developments around the world, MEPs add a “catch-all” clause which allows additional authorization requirements to be imposed swiftly, in response to information that the goods in question may be being used for capital punishment or torture.

Death penalty-safe states

MEPs deleted Sao Tome, Principe and Madagascar from the annex listing “safe” countries, to which exports of controlled medical substances do not require authorization, because they have not ratified the international convention on abolition of death penalty. However, they added Gabon, which ratified it in 2007.

Next steps

The text approved in committee still needs endorsed by Parliament as a whole in a plenary vote November (tbc). MEPs will then start talks with the Council of Ministers to agree on the final text of the law.

Note to editors

It is up to each EU member state to implement the Regulation. Tasks include granting export permits for controlled goods, carrying out border checks and deciding on penalties for those in breach. It would also be up to member states to ensure compliance with the requirement to control online marketing, promotion and other assistance services.

In today’s vote Trade MEPs asked the EU Commission to assess whether penalties currently applied by EU countries are of similar nature and effect, with a view to detecting and remedying “weak links” in the control framework.

Further information

- Steps of the procedure: [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2014/0005\(COD\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2014/0005(COD)&l=en)
- Committee on International Trade: <http://www.europarl.europa.eu/committees/en/inta/home.html>
- Marietje Schaake (ALDE, NL): <http://www.europarl.europa.eu/meps/en/96945.html>
- Video extracts from the vote : <http://audiovisual.europarl.europa.eu/Assetdetail.aspx?ref=1108830>
- Interactive map: ratification of the Convention against Torture (UN): <http://indicators.ohchr.org/>
- EU current list of goods banned or subject to export controls: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0775>
- Anti-torture regulation as currently in force (lists of banned/controlled goods): <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1430147950197&uri=CELEX:02005R1236-20140720>

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