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on the eradication of torture in the world
(2013/2169(INI))

Committee on Foreign Affairs

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the eradication of torture in the world (2013/2169(INI))

The European Parliament,

- having regard to the Universal Declaration of Human Rights and other UN human rights treaties and instruments,
- having regard to the UN Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the UN General Assembly on 9 December 1975¹,
- having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Optional Protocol thereto (OPCAT),
- having regard to the UN Standard Minimum Rules for the Treatment of Prisoners and other relevant universally applicable UN standards,
- having regard to the reports of the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment²,
- having regard to the UN General Assembly resolutions on torture,
- having regard to the statement adopted by the UN Committee against Torture on 22 November 2001 in connection with the events of 11 September 2001, pointing out that the prohibition against torture is an absolute and non-derogable duty under international law and expressing its confidence that ‘whatever responses to the threat of international terrorism are adopted by States parties [to the Convention], such responses will be in conformity with the obligations undertaken by them in ratifying the Convention against Torture’,
- having regard to the UN General Assembly resolution of 20 December 2012 on a moratorium on the use of the death penalty³,
- having regard to the UN General Assembly resolutions on the rights of the child, most recently its resolution of 20 December 2012 thereon⁴,
- having regard to the European Convention on Human Rights, and in particular Article 3 thereof, which states that ‘no one shall be subjected to torture or to inhuman or degrading treatment or punishment’,
- having regard to the European Convention for the Prevention of Torture and Inhuman or

¹ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/DeclarationTorture.aspx>

² <http://www.ohchr.org/EN/Issues/Torture/SRTorture/Pages/SRTortureIndex.aspx>

³ (A/RES/67/176).

⁴ (A/RES/67/167).

Degrading Treatment or Punishment,

- having regard to the Convention relating to the Status of Refugees, adopted by the UN on 28 July 1951¹,
- having regard to the 23rd General Report of the Council of Europe's European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, published on 6 November 2013²,
- having regard to the Convention on the Rights of the Child and the two Optional Protocols thereto, on the sale of children, child prostitution and child pornography³ and on the involvement of children in armed conflict⁴, respectively,
- having regard to the Geneva Conventions of 1949 and the Additional Protocol thereto⁵,
- having regard to the Inter-American Convention to Prevent and Punish Torture, which entered into force in 1997⁶,
- having regard to the Statute of the International Criminal Court,
- having regard to the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol)⁷,
- having regard to Article 21 of the Treaty on European Union (TEU),
- having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy⁸, as adopted by the Foreign Affairs Council on 25 June 2012,
- having regard to the Guidelines to EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment, as updated in 2012⁹,
- having regard to the EU Guidelines on the death penalty of 16 June 2008¹⁰,
- having regard to the *EU Guidelines on Human Rights and International Humanitarian Law*¹¹,
- having regard to the EU Annual Report on Human Rights and Democracy in the World in

¹ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfRefugees.aspx>

² <http://www.cpt.coe.int/en/annual/rep-23.pdf>

³ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>

⁴ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRRC.aspx>

⁵ <http://www.icrc.org/eng/war-and-law/treaties-customary-law/geneva-conventions/>

⁶ <http://www.cidh.oas.org/Basicos/English/Basic9.Torture.htm>

⁷ Published by the Office of the UN High Commissioner for Human Rights, Geneva,

<http://www.ohchr.org/Documents/Publications/training8Rev1en.pdf>

⁸ Council document 11855/2012.

⁹ <http://www.consilium.europa.eu/uedocs/cmsUpload/8590.en08.pdf>

¹⁰ <http://www.consilium.europa.eu/uedocs/cmsUpload/10015.en08.pdf>

¹¹ http://eeas.europa.eu/human_rights/docs/guidelines_en.pdf

2012, adopted by the Council on 6 June 2013¹ ,

- having regard to its resolution of 13 December 2012 on the Annual Report on Human Rights and Democracy in the World 2011 and the European Union’s policy on the matter² ,
 - having regard to its resolution of 13 December 2012 on the review of the EU’s human rights strategy³ ,
 - having regard to its resolution of 10 October 2013 on alleged transportation and illegal detention of prisoners in European countries by the CIA⁴ ,
 - having regard to its study of March 2007 entitled ‘The Implementation of the EU Guidelines on torture and other cruel, inhuman or degrading treatment or punishment’⁵ ,
 - having regard to Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment⁶,
 - having regard to its resolution of 17 June 2010 on implementation of Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment⁷,
 - having regard to its recommendation to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, to the Council and to the Commission of 13 June 2013 on the 2013 review of the organisation and the functioning of the EEAS⁸,
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development and the Committee on Women’s Rights and Gender Equality (A7-0100/2014),
- A. whereas, although the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is a key international norm, provided for in both UN and regional human rights conventions, torture still persists worldwide;
- B. whereas in this resolution the term ‘torture’ should be understood in accordance with the UN definition and also includes cruel, inhuman or degrading treatment or punishment;

¹ <http://register.consilium.europa.eu/pdf/en/13/st09/st09431.en13.pdf>

² Texts adopted, P7_TA(2012)0503.

³ Texts adopted, P7_TA(2012)0504.

⁴ Texts adopted, P7_TA(2013)0418.

⁵ [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2007/348584/EXPO-DROI_ET\(2007\)348584_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2007/348584/EXPO-DROI_ET(2007)348584_EN.pdf)

⁶ OJ L 200, 30.7.2005, p. 1.

⁷ OJ C 236 E, 12.8.2011, p. 107.

⁸ Texts adopted, P7_TA(2013)0278.

- C. whereas the CAT and the OPCAT have created an international framework with real potential to move towards the eradication of torture, especially through the creation of independent and effective national preventive mechanisms (NPMs);
 - D. whereas the EU has reinforced the commitment made in the EU Strategic Framework on Human Rights to continue to campaign vigorously against torture and cruel, inhuman and degrading treatment;
 - E. whereas the eradication of torture, ill-treatment and inhuman or degrading treatment or punishment is an integral part of EU human rights policy, closely interlinked with other areas and instruments of EU action;
 - F. whereas the EU Guidelines on torture were updated in 2012, while the last comprehensive public stocktaking and review of implementing measures took place in 2008;
 - G. whereas, according to the updated guidelines, in the fight against terrorism the Member States are determined to comply fully with international obligations prohibiting torture and other cruel, inhuman or degrading treatment or punishment;
 - H. whereas torture can be both physical and psychological; whereas there is a growing number of cases in which psychiatry has been used as a tool for the coercion of human rights defenders and dissidents, who are placed in psychiatric institutions in order to prevent them from carrying out their political and community activities;
 - I. whereas the Member States' judiciaries should have the tools to prosecute those torturers who have never been judged, and whereas particular attention should be given to cases of torture under dictatorships in Europe, as many of these crimes have gone unpunished;
 - J. whereas the erosion of the absolute prohibition of torture remains a persistent challenge in the context of antiterrorism measures in many countries;
 - K. whereas there are significant policy challenges as regards the specific protection needs of vulnerable groups, in particular children;
 - L. whereas the police in some countries use torture as their interrogation method of choice; whereas torture cannot be regarded as an acceptable way to solve crimes;
1. Stresses that the prohibition of torture is absolute under international and humanitarian law and under the CAT; stresses that torture constitutes one of the ultimate violations of human rights and fundamental freedoms, takes a terrible toll on millions of individuals and their families, and cannot be justified under any circumstances;
 2. Welcomes the inclusion of three actions relating to the eradication of torture in the EU Action Plan on Democracy and Human Rights, but emphasises the need for specific and measurable benchmarks to assess their timely implementation, in partnership with civil society;
 3. Pays tribute to all those civil society organisations, national human rights institutions, NPMs and individuals striving to provide redress and reparation to victims, fighting

impunity and actively preventing the scourge of torture and ill-treatment around the world;

4. Notes that, according to the CAT, the term 'torture' means any act by which 'severe pain or suffering, whether physical or mental, is intentionally inflicted on a person ... by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity'; considers, however, that situations in which acts of torture or other cruel, inhuman or degrading treatment or punishment occur with the involvement of actors other than state or public officials also need to be addressed through policy measures for prevention, accountability and rehabilitation;
5. Denounces the continued prevalence of torture and other forms of ill-treatment throughout the world and reiterates its absolute condemnation of such acts, which are and must remain prohibited at any time and in any place whatsoever and can thus never be justified; observes that the implementation of the EU guidelines on torture remains insufficient and at odds with EU statements and commitments to addressing torture as a matter of priority; urges the European External Action Service (EEAS) and the Member States to give renewed impetus to the implementation of those guidelines, namely by identifying priorities, best practices and public diplomacy opportunities, consulting relevant stakeholders, including civil society organisations and reviewing the implementation of the torture-related issues mentioned in the Action Plan; calls, in this connection, for the full and timely implementation of the three actions in the Action Plan that relate to the eradication of torture;
6. Recommends that a forthcoming revision of the Action Plan define more ambitious and specific actions to eradicate torture, such as more efficient information- and burden-sharing, training and joint initiatives with UN field offices and the relevant UN Special Rapporteurs and other international actors, such as the Organisation for Security and Cooperation in Europe (OSCE) and the Council of Europe, along with support for the establishment and strengthening of regional torture prevention mechanisms;
7. Welcomes the 2012 update of the EU Guidelines on torture; underlines the importance of effective and results-oriented implementation of those Guidelines in conjunction with other guidelines and policy initiatives;
8. Welcomes the fact that the guidelines reflect a holistic policy approach, including the promotion of an adequate legislative and judicial framework for the effective prevention and prohibition of torture, monitoring of places of detention, efforts to address impunity, and the full and effective rehabilitation of torture victims, backed up by credible, consistent and coherent action;
9. Calls on the Council, the EEAS and the Commission to take more effective steps to ensure that Parliament and civil society are involved, at the very least, in the assessment exercise in respect of the EU Guidelines on torture;
10. Reiterates the vital importance of rehabilitation centres for torture victims, both inside and outside the EU, in addressing not only the physical, but also the long-term psychological, problems experienced by torture victims; welcomes the EU's provision of financial aid to rehabilitation centres for torture victims throughout the world and suggests that they adopt

a multidisciplinary approach in their activities, encompassing counselling, access to medical treatment, and social and legal support; remains convinced that the funding provided by the European Instrument for Democracy and Human Rights (EIDHR) to such centres in third countries should not be cut, even in the current financial and economic crisis, since national healthcare systems in those countries are often not in a position to address the specific problems of torture victims adequately;

11. Regrets the fact that no comprehensive public stocktaking and review of the implementation of the guidelines has been carried out since 2008 and stresses the need for regular and comprehensive assessment of their implementation;
12. Recommends that the Guidelines be accompanied by detailed implementing measures to be circulated to EU heads of mission and Member State representations in third countries; calls on heads of mission to include individual cases of torture and ill-treatment in their implementation and follow-up reports;
13. Stresses that EU policy should be based on the efficient coordination of initiatives and actions at EU and Member State level so as to exploit the full potential of available political instruments and their synergy with EU-funded projects;
14. Calls on the Commission, the EEAS and the Member States to undertake periodic reviews of the implementation of Council Regulation (EC) No 1236/2005 banning the trade of torture and capital punishment equipment, and to promote that regulation worldwide as a viable model for enforcing an effective ban on torture tools;
15. *Takes note of the recent Commission proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment (COM(2014)0001); stresses the importance of addressing brokering services, technical assistance and the transit of relevant goods; reiterates Parliament's earlier call for the insertion of a 'torture end-use catch-all clause' into the regulation in order to allow Member States, on the basis of prior information, to license or refuse the export of any items which pose a substantial risk of being used for torture, ill-treatment or capital punishment;*
16. Considers that the death penalty, as a violation of the right to personal integrity and human dignity, is incompatible with the prohibition of cruel, inhuman or degrading punishment under international law and calls on the EEAS and the Member States formally to acknowledge this incompatibility and to adapt EU policy on capital punishment accordingly; emphasises the need to interpret the respective EU guidelines on the death penalty and torture as cross-cutting; considers deplorable the physical and psychological isolation of, and pressures on, prisoners on death row; reiterates the need for a comprehensive legal study and discussions at UN level on the links between the application of the death penalty, including the death row phenomenon of severe mental trauma and physical deterioration, and the prohibition on torture and cruel, inhuman or degrading treatment or punishment;
17. Supports an immediate ban on stoning; stresses that it is a brutal form of execution;

18. Encourages the resumption of the Council's torture task force, which should give renewed impetus to the implementation of the EU guidelines by identifying priorities, best practices and public diplomacy opportunities, undertaking consultation with relevant stakeholders and civil society organisations and contributing to the regular review of implementation in respect of the torture-related issues mentioned in the Action Plan;
19. Is particularly concerned about the torture of human rights defenders in prisons, including community activists, journalists, human rights lawyers and bloggers; recognises that it is often the people who are most involved in the fight for human rights and democracy who suffer the most through unlawful detention, intimidation, torture and the exposure of their families to danger; insists that both EU missions on the ground and high-level EU officials systematically and consistently raise this issue in meetings with their third-country counterparts, including by mentioning the names of specific human rights defenders who are in prison;
20. Notes with grave concern the existence of secret detention centres and the practice of incommunicado detention and prolonged solitary confinement in several countries, which represent some of the most worrying examples of torture and ill-treatment; believes that these cases should be systematically raised in statements and démarches and included in the list of individual cases discussed during human rights dialogues and consultations between the EU and third countries;
21. Reiterates its concern about widespread and systematic human rights abuses in the Democratic People's Republic of Korea (DPRK), in particular the use of torture and labour camps for political prisoners and repatriated citizens of the DPRK; calls on the DPRK authorities, as a first step, to allow inspections of all types of detention facility by independent international experts;
22. Stresses that no exceptions from the absolute prohibition of torture and practices involving cruel, inhuman or degrading treatment or punishment can be justified, and that states have an obligation to implement safeguards to prevent the perpetration of torture and ill-treatment, and to ensure accountability and access to effective remedies and reparations at all times, including in the context of national security concerns and counterterrorism measures; considers it worrying that some countries are assigning parallel policing tasks to paramilitary groups in an attempt to elude their international obligations; emphasises that the prohibition also applies to the transfer and use of information where it is either obtained by or likely to result in torture; recalls that the prohibition of torture is a binding norm under international human rights law and international humanitarian law, which means that it is valid both in peacetime and in wartime;
23. Expresses its concern at police brutality in certain countries and considers this issue to be central to the prevention of torture and degrading treatment, especially in cases where peaceful demonstrations are put down, bearing in mind that according to the international definitions violence of this kind constitutes ill-treatment, at the very least, if not torture;
24. Welcomes the joint project of the Council of Europe and the Association for the Prevention of Torture aimed at drawing up a practical guide for parliamentarians on visiting immigration detention centres;

25. Calls for the adoption of a practical guide for parliamentarians on visiting places of detention as part of regular visits to third countries by European Parliament delegations; considers that the guide should include specific advice on visits to detention centres and other places where children and women may be detained, and should secure the application of the ‘do no harm’ principle in accordance with the UN Training Manual on Human Rights Monitoring, in particular with a view to avoiding reprisals against detainees and their families following such visits; calls for such visits to be undertaken in consultation with the EU delegation in the country concerned, NGOs and organisations active in prisons;
26. Calls on the EEAS, the Human Rights Working Group (COHOM) and other relevant actors jointly to undertake a survey of EU support for the establishment and functioning of NPMs, and to identify best practices as outlined in the Action Plan;
27. Calls on the EEAS, the Member States and the Commission to facilitate the establishment and functioning of independent and effective NPMs, and particularly the professional training of their staff;
28. Calls on COHOM, the torture task force and the Commission’s DG HOME to develop measures integrating torture prevention into all freedom, security and justice activities;

Addressing protection gaps, in particular vis-à-vis the torture of children

29. Expresses its particular concern regarding acts of torture and ill-treatment committed against members of vulnerable groups, in particular children; calls for the EU to take political, diplomatic and financial measures to prevent the torture of children;
30. Calls for the EU to address various forms of human rights violation affecting children, especially those linked to child trafficking, child pornography, child soldiers, children in military detention, child labour, accusations of child witchcraft, and cyber bullying, where they amount to torture, including in orphanages, detention centres and refugee camps, and to implement effective safeguards to protect children wherever authorities are involved in any way in torture affecting children,
31. Points out that unaccompanied migrant children should never be sent back to a country where they may be in danger of being tortured or of suffering inhuman or degrading treatment;
32. Notes that the abusive deprivation of children’s liberty, especially in the context of preventive detention and the detention of migrant children, has resulted in overcrowded detention centres and an increase in torture and ill-treatment of children; calls on states to ensure that the deprivation of children’s liberty is, as required by universal human rights standards, genuinely used only as a measure of last resort, for the minimum necessary period and always taking into account the best interest of the child;
33. Calls on states to develop a more child-friendly justice system, comprising free and confidential child-friendly reporting mechanisms, including in detention centres, that empower children not only to assert their rights, but also to report violations;

34. Stresses the need for the EU to address the use of the internet by adults and children for the psychological torture of children and harassment through social media; notes that, despite the existence of its Safer Internet programme, the EU's response to the phenomenon of internet bullying has been inadequate; highlights the recent spate of incidents involving children taking their lives as a result of online bullying, and the continued existence of websites, hosted in Member States, which have been directly or indirectly implicated in these actions; stresses, therefore, the urgency of the EU taking clear and firm action against online bullying and harassment and the websites facilitating it;
35. Recommends focusing EU policy efforts on rehabilitation and psychological support centres for children who are victims of torture, with a child-friendly approach that takes account of cultural values;
36. Recommends including the torture of children in the planned targeted campaign on the rights of the child, as set out in the Action Plan;
37. Recommends that the EEAS and the Commission pay special attention to torture and cruel, inhuman or degrading treatment targeting artists, journalists, human rights defenders, student leaders, health professionals and individuals belonging to other vulnerable groups, such as ethnic, linguistic, religious and other minorities, especially when they are being held in detention or in prison;
38. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the heads of the EU delegations, in their dialogue with authorities of third countries, to raise the issue of gender-based forms of torture that make girls a particularly vulnerable group, in particular female genital mutilation and early or forced marriages, as specified in the Strategic Framework and Action Plan;
39. Calls on the EEAS and COHOM specifically to address the torture of children in the forthcoming updates of the EU guidelines on torture and the Action Plan;
40. Expresses concern at the fact that women are particularly likely to be subjected to specific acts of torture and forms of inhuman or degrading treatment (rape, sexual mutilation, sterilisation, abortion, enforced birth control and deliberate impregnation), especially during armed conflicts, in which such acts are used as a type of warfare, even against those who are under age;
41. Similarly condemns acts of torture, violence and abuse perpetrated on account of a person's sexual orientation or gender identity;
42. Points to the need to support the work of NGOs involved in preventing violence in conflict situations, and hence the torture and ill-treatment inflicted on the civilian population in such situations, and, to this end, to raise awareness within armed groups of the need to comply with international humanitarian standards, especially as regards gender-based violence;

Fight against torture in the EU's relations with third countries

43. Calls on the EEAS, the EU Special Representative for Human Rights (EUSR) and COHOM to make sure that human rights country strategies (HRCSs) contain country-specific objectives and benchmarks relating to the fight against torture, including the identification of groups requiring special protection, such as children, women, displaced people, refugees and migrants, and those facing discrimination on the grounds of ethnicity, caste or cultural background, religious or other beliefs, sexual orientation or gender identity;
44. Appeals to the EU and the international community as a whole to observe the principle of non-refoulement, whereby no asylum-seekers should be sent back to a country where they may be in danger of torture or of suffering inhuman or degrading treatment as defined in the Convention of 28 July 1951 relating to the Status of Refugees;
45. Stresses that HRCSs should identify protection gaps, appropriate interlocutors and entry points such as the UN framework or security sector or judiciary reform, with a view to addressing torture-related concerns in each country;
46. Recommends that HRCSs address the root causes of violence and ill-treatment by government agencies and in private settings, and define assistance needs with a view to offering EU technical assistance for capacity-building, legal reform and training, so as to help third countries comply with international obligations and norms, in particular in the context of signing and ratifying the CAT and the OPCAT and complying with their provisions on prevention (specifically the establishment of NPMs), fighting impunity, and the rehabilitation of victims;
47. Further recommends that HRCSs include measures to encourage the establishment and operation, or where appropriate the strengthening, of national institutions which can effectively address the prevention of torture and ill-treatment, including the possibility of financial and technical assistance where necessary;
48. Underlines the need for the EEAS and the EU delegations to make available specific information regarding the availability in third countries of support and possible legal remedies for victims of torture and ill-treatment;
49. Calls on the EEAS and the EU delegations to make full, but carefully targeted and country-specific, use of the political instruments at their disposal as outlined in the EU guidelines on torture, including public statements, local démarches, human rights dialogues and consultations, to raise individual cases, the legislative framework relating to torture prevention and the ratification and implementation of relevant international conventions; calls on the EEAS and the Member States to resume their past practice of carrying out targeted global campaigns on thematic issues relating to torture;
50. Calls on the EU delegations and Member State embassies on the ground to implement the provisions of the EU guidelines on torture, and on the EEAS and COHOM regularly to monitor their implementation;
51. Urges the EU delegations and Member States embassies throughout the world to mark the International Day in Support of Victims of Torture on 26 June each year by organising seminars, exhibitions and other events;

52. Calls on the EEAS and the EUSR systematically to raise the issue of torture and ill-treatment in EU human rights dialogues and consultations with third countries;
53. Recommends making torture-related issues the focus of local and regional civil society forums and seminars, with the potential for follow-up as part of the regular human rights consultations and dialogues;
54. Calls on the EU, in its human rights dialogues, to promote the implementation of the UN Standard Minimum Rules for the Treatment of Prisoners with a view to ensuring that prisoners' inherent dignity is respected and that fundamental rights and guarantees are upheld, and also to ensure that the application of these rules is extended to all places of deprivation of liberty, including mental hospitals and police stations;
55. Calls on the EU delegations and on Parliament delegations to carry out visits to prisons and other places of detention, including juvenile detention centres and places where children may be detained, to observe trials where there is reason to believe that defendants may have been subjected to torture or ill-treatment and to ask for information on and the independent investigation of individual cases;
56. Calls on the EU delegations to provide support for members of civil society who are prevented from visiting prisons and observing trials;
57. Calls on the EEAS, the Commission and the Member States to meet the commitments made in the Action Plan to facilitate the establishment and functioning of independent and effective NPMs; calls on the Member States to review and analyse with diligence and transparency the existing NPMs and national human rights institutions in the EU and in third countries, and to identify best practices among them, making sure that they include a child rights perspective, with a view to strengthening the existing mechanisms, making improvements and promoting these examples to partner countries;
58. Invites the EU delegations to call for detention to be used as a last resort, and to seek alternatives, particularly for people in vulnerable situations such as women, children, asylum-seekers and migrants;
59. Is deeply concerned at recent reports of EU-based companies supplying chemicals used for lethal injection drugs in the USA; welcomes, in this connection, the development by a number of European pharmaceutical companies of a contractual export and control system aimed at ensuring that the product Propofol is not used for lethal injections in countries still applying the death penalty, including the USA;

EU action in multilateral fora and international organisations

60. Welcomes the EU's persistent efforts to initiate and support the regular adoption of UN General Assembly and Human Rights Council resolutions and to treat the issue as a priority under the UN framework; suggests that the VP/HR and the EUSR maintain regular contact with the UN Special Rapporteur on torture with a view to sharing information relevant to the EU's foreign policy relations with third countries; suggests also that the Committee on Foreign Affairs and its Subcommittee on Human Rights regularly invite the UN Special Rapporteur on torture to brief Parliament on torture-related matters

in specific countries;

61. Points out that, as stipulated in Articles 7 and 8 of the Rome Statute of the International Criminal Court (ICC), torture, if committed systematically or on a large scale, can constitute a war crime or a crime against humanity; maintains that, by virtue of the responsibility to protect, the international community has a duty to protect populations who fall victim to such crimes, and, accordingly, calls for the decision-making procedure in the UN Security Council to be reviewed in order to avert deadlock in cases involving the responsibility to protect;
62. Calls on third countries to cooperate fully with the UN Special Rapporteur, the Committee against Torture and regional anti-torture bodies such as the Committee for the Prevention of Torture in Africa, the European Committee for the Prevention of Torture (CPT) and the Organisation of American States (OAS) Rapporteur on the Rights of Persons Deprived of Liberty; encourages the Member States and the EEAS systematically to take into account the recommendations of the Special Rapporteur and other bodies for follow-up in contacts with third countries, including as part of the Universal Periodic Review (UPR) process;
63. Urges the EEAS, the EUSR and the Member States actively to promote the ratification and implementation of the CAT and the OPCAT as a priority and to step up their efforts to facilitate the establishment and functioning of effective and independent NPMs in third countries;
64. Calls on the EEAS, the Commission and the Member States to support the establishment and functioning of regional torture prevention mechanisms, including the Committee for the Prevention of Torture in Africa and the OAS Rapporteur on the Rights of Persons Deprived of Liberty;
65. Calls on the EEAS, the EUSR and the Commission to step up their support for third countries, enabling them to implement effectively the recommendations of the relevant UN treaty bodies, including the Committee against Torture and its Subcommittee on the Prevention of Torture, the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women;
66. Calls on the EEAS, within its capacity, to provide technical assistance for the rehabilitation of torture victims and their families with the aim of empowering them to rebuild their lives;
67. Underlines the importance of the Member States' active participation in implementing the provisions of the Action Plan and providing the EEAS with regular updates on the action they have undertaken in this regard;
68. Calls on the EU to cooperate more efficiently with the CPT and the Commissioner for Human Rights of the Council of Europe;

European Instrument for Democracy and Human Rights (EIDHR)

69. Welcomes the existing initiatives and projects under the EIDHR, 7 % of whose funds have been allocated to torture-related projects, and underlines the need to continue earmarking

specific funds for the fight against torture and cruel or degrading treatment or punishment, with a focus on awareness-raising, prevention, addressing impunity, and the social and psychological rehabilitation of torture victims, priority being given to projects of a holistic nature;

70. Stresses that the funds allocated to projects under the upcoming programming period should take into account the EU priorities outlined in the Action Plan;
71. Calls on the Member States to provide an overview of bilateral assistance programmes in the field of torture prevention and rehabilitation with a view to sharing best practices, achieving efficient burden-sharing and creating synergies and complementarity with EIDHR projects;

Credibility, coherence and consistency of EU policy

72. Points out that the EU and its Member States need to set an example in order to establish their credibility; calls, therefore, on Belgium, Finland, Greece, Ireland, Latvia and Slovakia to ratify the OPCAT as a matter of priority and establish independent, well-resourced and effective NPMs; notes the importance of individual communications as an instrument for the prevention of torture and ill-treatment and urges the Member States to accept individual jurisdictions in compliance with Article 21 of the CAT; calls on the signatories to the UN Convention on the Rights of the Child to sign and ratify the 3rd Protocol thereto; also calls on the 21 Member States which have yet to ratify the International Convention for the Protection of All Persons from Enforced Disappearance to do so as a matter of urgency;
73. Calls on those Member States which have not made declarations recognising the Article 22 jurisdiction of the CAT to do so as a matter of priority;
74. Calls on all those Member States which have NPMs to engage in a constructive dialogue with a view to implementing NPM recommendations, along with the recommendations of the CPT, the CAT and its Subcommittee for the Prevention of Torture, in a coherent and complementary way;
75. Urges the EU to strengthen its commitment to the universal values of human rights and, accordingly, calls for it to use its neighbourhood policy and the principle of ‘more for more’ to encourage neighbouring countries to embark on reforms with a view to intensifying their action against torture;
76. Regrets the very limited support provided by the Member States to the UN Voluntary Fund for Victims of Torture and the OPCAT Special Fund; calls on the Member States and the Commission to support the work of these funds through substantial and regular voluntary contributions, in line with their commitments under the Action Plan;
77. Maintains that the EU should take a more determined stand, and calls on the EU institutions and the Member States to strengthen their commitment and political will with a view to securing a worldwide moratorium on capital punishment;

78. Calls on the Commission to draw up an action plan with a view to creating a mechanism for listing and imposing targeted sanctions (travel bans, freezing of assets) against officials of third countries (including police officers, prosecutors and judges) involved in grave human rights violations, such as torture and cruel, inhuman or degrading treatment; stresses that the criteria for inclusion in the list should be based on well-documented, converging and independent sources and convincing evidence, allowing for mechanisms for redress for those targeted;
79. Recalls the obligation of all states, including the EU Member States, to adhere strictly to the principle of non-refoulement, under which states must not deport or extradite people to a jurisdiction where they run the risk of persecution; considers that the practice of seeking diplomatic assurances from the receiving state does not relieve the sending state of its obligations, and denounces such practices, which seek to circumvent the absolute prohibition of torture and refoulement;
80. Notes the EU's vital position on the world stage when it comes to combating torture, in close cooperation with the UN; stresses that strengthening the principle of zero tolerance for torture remains at the core of EU policies and strategies to promote human rights and fundamental freedoms, both outside and inside the EU; regrets the fact that not all the Member States comply fully with Council Regulation (EC) No 1236/2005 and that some companies based in industrialised countries may have illegally sold to third countries policing and security devices that can be used for torture;
81. Calls on the Council and the Commission to complete the current review of Council Regulation (EC) No 1236/2005, including the annexes thereto, with a view to more effective implementation in line with Parliament's recommendations as set out in its resolution of 17 June 2010 on the implementation of Council Regulation (EC) No 1236/2005; calls on the Member States to comply fully with the provisions of that regulation, in particular the obligation of all Member States under Article 13 thereof to compile timely annual activity reports and make them public, and to share information with the Commission regarding licensing decisions;

Considerations on fighting torture and development policy

82. Recalls the need to set up an integrated and comprehensive strategy to fight torture by addressing its root causes; believes that this should include overall institutional transparency and a stronger political will at state level to fight ill-treatment; underlines the urgent need to tackle poverty, inequality, discrimination and violence by using NPMs and strengthening local authorities and NGOs; stresses the need to further enhance the EU's development cooperation and human rights implementation machinery in order to address the root causes of violence;
83. Stresses that access to justice, the fight against impunity, impartial investigations, the empowerment of civil society and the promotion of education against ill-treatment are essential for combating torture;
84. Stresses that the use of the term 'torture', and hence the absolute prohibition, prosecution and punishment of this practice, should not be ruled out when such acts are inflicted by irregular armed forces or tribal, religious or rebel groups;

85. Recalls the importance and specificity of the dialogue on human rights as a component part of the political dialogue under Article 8 of the Cotonou Partnership Agreement; recalls also that every dialogue with third countries on human rights should include a robust anti-torture component;
86. Urges the Council and the Commission to encourage their partner countries to adopt a victim-oriented approach in the fight against torture and other cruel, inhuman or degrading treatment, by paying special attention to the needs of victims in development cooperation policy; stresses that introducing aid conditionality is an effective way of addressing the problem, but that high-level dialogue and negotiation, civil society involvement, strengthening of national capacity and a focus on incentives can achieve better results;

Considerations on the fight against torture and women's rights

87. Urges the EU to ensure, by means of aid conditionality, that third countries protect all human beings from torture, especially women and girls; calls on the Commission to reconsider its aid policy towards countries practising torture and to divert aid to support victims;
88. Welcomes the measures contemplated by the Commission in its communication entitled 'Towards the elimination of female genital mutilation' (COM (2013)0833), and reiterates the need for consistency between the Union's internal and external policies with regard to this problem; restates, moreover, the continuing need for the EU to work with third countries to eradicate the practice of female genital mutilation; encourages those Member States which have not yet done so to criminalise female genital mutilation in their national legislation and to ensure that the relevant legislation is implemented;
89. Expresses its concern over cases involving the execution of women with mental health problems or learning difficulties;
90. Condemns all forms of violence against women, in particular honour killings, violence entrenched in cultural or religious beliefs, forced marriage, child marriage, gendercide and dowry deaths; affirms that the EU must treat these as forms of torture; calls on all stakeholders to work actively to prevent torture practices through education and awareness-raising measures;
91. Condemns all forms of torture of women related to charges of sorcery or witchcraft, as practised in various countries around the world;
92. Welcomes the Rome Statute's progressive and innovative approach in recognising sexual and gender-based violence, including rape, sexual slavery, enforced prostitution, forced pregnancy, forced sterilisation and other forms of sexual violence of comparable gravity, as a form of torture and, as such, as a war crime and a crime against humanity; also welcomes the implementation by the ICC's victim support fund of programmes to rehabilitate women who have suffered torture, notably in post-conflict situations;
93. Calls for the EU to encourage those countries which have not yet done so to ratify and implement the CAT and the Rome Statute, and to incorporate the relevant provisions on gender-based violence into their domestic legislation;

94. Urges states to condemn strongly torture and violence against women and girls committed in armed conflict and post-conflict situations; recognises that sexual and gender-based violence affects victims and survivors, relatives, communities and societies, and calls for effective measures for accountability and redress and for effective remedies;
95. Regards it as crucial that national prosecutors and judges have the capacity and expertise properly to prosecute and try individuals for gender-based crimes;
96. Considers that the failure to separate transgender women prisoners from male prisoners in detention is cruel, inhuman, degrading and unacceptable;
97. Calls for the EU, in its human rights dialogues, to promote the implementation of the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), with a view to strengthening international norms for the treatment of women prisoners, encompassing the aspects of health, gender sensitivity and childcare;
98. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments of the Member States, the UN High Commissioner for Human Rights and the UN Special Rapporteur on torture.

22.1.2014

OPINION OF THE COMMITTEE ON DEVELOPMENT

for the Committee on Foreign Affairs

on eradication of torture in the world
(2013/2169(INI))

Rapporteur: Ricardo Cortés Lastra

SUGGESTIONS

The Committee on Development calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Underlines the fact that the prohibition of torture is absolute under international and humanitarian law and under the UN Convention against Torture (CAT); stresses that torture constitutes one of the ultimate violations of human rights and fundamental freedoms, takes a terrible toll on millions of individuals and their families, and cannot be justified under any circumstances;
2. Recalls the need to set up an integrated and comprehensive strategy to fight torture by addressing its root causes; believes that this should include overall institutional transparency and a stronger political will at state level to fight ill-treatment; underlines the urgent need to tackle poverty, inequality, discrimination and violence by using national prevention mechanisms and by strengthening local authorities and NGOs; stresses the need to further develop the EU's development cooperation and human rights implementation machinery to address the root causes of violence;
3. Notes with concern that claims for basic economic, social and cultural rights are often met with severe repression, resulting in many victims of torture being amongst the poorest in society; notes also that violence against women and children is significantly influenced by their socio-economic marginalisation, including in developing countries; calls, therefore, for new preventive strategies to address the relationship between economic, social and cultural rights and violence;
4. Underlines the fact that access to justice, the fight against impunity, impartial investigations, the empowerment of civil society and the promotion of education against ill-treatment are essential for combating torture;

5. Underlines the importance of Parliament delegations visiting prisons and other places of detention where there is reason to believe that defendants may have been subjected to torture or ill-treatment, and calls for information to be provided on individual cases and for them to be investigated independently;
6. Notes the EU's vital position on the world stage in combating torture, in close cooperation with the UN; underlines the fact that strengthening the principle of zero tolerance for torture remains at the core of EU policies and strategies in promoting human rights and fundamental freedoms, both outside and inside the EU; regrets the fact that not all Member States fully comply with Council Regulation (EC) No 1236/2005 and that some companies based in industrialised countries may have illegally sold to third countries policing and security devices that can be used to torture;
7. Calls on the Commission and the EEAS to take reports of torture by governmental agencies in third countries very seriously, to systematically raise the issue of torture and ill-treatment in all dialogues with these countries, and to seek transparent investigations in such cases; stresses the fact that respect for human rights is one of the cornerstones of the EU's development cooperation efforts;
8. Notes that, according to the CAT, the term 'torture' means any act by which 'severe pain or suffering, whether physical or mental, is intentionally inflicted on a person', for the purposes set out in the CAT, 'by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity'; stresses, however, that the use of the term 'torture', and hence the absolute prohibition, prosecution and punishment of this practice, should not be ruled out when such acts are inflicted by irregular armed forces, tribal, religious or rebel groups;
9. Points out that women and children, especially girls, are the most vulnerable people subjected to acts of torture and ill-treatment; stresses, therefore, the importance of a gender-sensitive interpretation of torture and the need to pay particular attention to issues such as rape in detention, violence against pregnant women and the denial of reproductive rights;
10. Recalls the importance and specificity of the dialogue on human rights as a component part of the political dialogue under Article 8 of the Cotonou Partnership Agreement; recalls also that every dialogue with third countries on human rights should have a robust anti-torture component;
11. Calls on the Commission and the EEAS to support all regional torture prevention mechanisms, including the Committee for the Prevention of Torture in Africa, and also supports the role of the African Union Special Rapporteur on Prisons and Conditions of Detention and the Rapporteur on Persons Deprived of their Liberty in the Americas;
12. Calls on the Commission and the EEAS in their political dialogue with third countries, including ACP countries, to encourage them to ratify the Optional Protocol Against Torture and to put in place National Preventive Mechanisms (NPMs);
13. Calls on the Council, the EEAS and the Commission to take more effective steps to ensure that the European Parliament and civil society are involved, at the very least, in the

assessment exercise of the EU Guidelines on torture;

14. Urges the Council and the Commission to encourage their partner countries to adopt a victim-oriented approach in the fight against torture and other cruel, inhuman or degrading treatment, by paying special attention to the needs of victims in development cooperation policy; stresses that introducing aid conditionality is an effective way of addressing the problem, but that high-level dialogues and negotiations, civil society involvement, strengthening national capacities and focusing on incentives can achieve better results.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	21.1.2014
Result of final vote	+: 24 -: 0 0: 0
Members present for the final vote	Thijs Berman, Michael Cashman, Ricardo Cortés Lastra, Véronique De Keyser, Leonidas Donskis, Charles Goerens, Mikael Gustafsson, Filip Kaczmarek, Miguel Angel Martínez Martínez, Gay Mitchell, Norbert Neuser, Bill Newton Dunn, Maurice Ponga, Jean Roatta, Birgit Schnieber-Jastram, Michèle Striffler, Alf Svensson, Keith Taylor, Ivo Vajgl, Iva Zanicchi
Substitute(s) present for the final vote	Philippe Boulland, Emer Costello, Enrique Guerrero Salom, Cristian Dan Preda

24.1.2014

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

for the Committee on Foreign Affairs

on eradication of torture in the world
(2013/2169(INI))

Rapporteur: Marina Yannakoudakis

SUGGESTIONS

The Committee on Women's Rights and Gender Equality calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- having regard to UN Security Council resolution 1325 on women, peace and security (UNSCR 1325), to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and to the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences,
- A. whereas groups that are particularly vulnerable to torture are women, children, detainees, prisoners, refugees, asylum seekers, internally displaced persons, migrants, and those facing discrimination on grounds of ethnicity, religious or other belief, sexual orientation or gender identity;
- B. whereas women are more likely to be victims of sexual and gender-based torture in times of both war and peace;
- C. whereas women and girls tend to suffer disproportionately from violence, in particular of a sexual nature, both in peacetime and during armed conflict;
- D. whereas torture and other cruel, inhuman or degrading treatment or punishment are among the most abhorrent violations of human rights, human integrity and human dignity existing in the world today;
- E. whereas countries frequently ignore or deny gender-based violence, thus refusing to provide victims with the necessary assistance and protection or to convict the perpetrators, and many cases of violence of this kind thus go unreported;

- F. whereas female genital mutilation (FGM) constitutes a breach of the UN Convention against Torture;
- G. whereas the UN Commission on the Status of Women has called for a ban on stoning, identifying it as a form of torture;
- H. whereas the UN Special Rapporteur on extrajudicial, summary and arbitrary executions has stated that LGBT persons are ‘more vulnerable to violence and human rights abuses’;
- I. whereas the EU Guidelines on torture and other cruel, inhuman or degrading treatment or punishment, updated in 2012, identify women as one of the groups requiring special protection; reiterates the importance of recognising gender-specific forms of torture and degrading treatment;
- J. whereas torture has enduring physical and mental health consequences for victims;
 - 1. Urges the EU to ensure, by means of aid conditionality, that third countries protect all human beings from torture, especially women and girls; calls on the Commission to reconsider its aid policy towards countries practising torture and to divert aid to support victims;
 - 2. Welcomes the measures contemplated by the Commission in its communication entitled ‘Towards the elimination of female genital mutilation’ (COM (2013)0833), and reiterates the need for consistency between the Union’s internal and external policies in regard to this phenomenon; restates, moreover, the continuing need for the EU to work with third countries to eradicate the practice of FGM; encourages those Member States which have not yet done so to criminalise FGM in their national legislation and to ensure that the relevant legislation is implemented;
 - 3. Supports an immediate ban on stoning; stresses that it is a brutal form of execution;
 - 4. Expresses its concern over cases of execution of women having mental health problems or learning difficulties;
 - 5. Expresses its concern over the conditions of detention of women and children awaiting execution on death row;
 - 6. Condemns all forms of violence against women, in particular honour killings, violence entrenched in cultural or religious beliefs, forced marriage, child marriage, gendercide and dowry deaths; affirms that the EU must treat these as forms of torture; calls on all stakeholders to actively work towards preventing torture practices through education and awareness-raising measures;
 - 7. Condemns all forms of torture of women related to charges of sorcery or witchcraft, as practised in various countries around the world;
 - 8. Calls on the authorities in affected countries around the world to outlaw forced marriage, particularly where it involves children;
 - 9. Recognises that torture is unfortunately an evolving phenomenon and that current UN and

EU definitions are becoming obsolete and outdated; believes it is therefore of paramount importance to tackle emerging forms of torture that are being perpetrated against vulnerable groups, in particular children;

10. Recognises the need to combat new and emerging forms of torture that are perpetrated using information technologies, such as the psychological torture and harassment of women and children via the internet and social media;
11. Welcomes the Rome Statute's progressive and innovative approach in recognising sexual and gender-based violence, including rape, sexual slavery, enforced prostitution, forced pregnancy, forced sterilisation and other forms of sexual violence of comparable gravity, as a form of torture and as such as a war crime and crime against humanity; also welcomes the implementation by the ICC's victim support fund of programmes to rehabilitate women who have suffered torture, notably in post-conflict situations;
12. Calls on the EU to maintain its support, notably through the EIDHR, for programmes for the support and rehabilitation of women who have suffered torture, notably those who are victims of sexual violence in post-conflict situations;
13. Urges states to strongly condemn torture and violence against women and girls committed in armed conflict and post-conflict situations; recognises that sexual and gender-based violence affects victims and survivors, relatives, communities and societies, and calls for effective measures for accountability and redress as well as effective remedies;
14. Stresses that the right to education is a human right, and that eliminating illiteracy, ensuring equal access to quality education, including sexual education, and closing the gender gap at all levels of education empower women and girls and thereby contribute to the elimination of all forms of discrimination and violence against women and girls;
15. Calls on the EU in its human rights dialogue with third countries:
 - (a) to treat cases of systematic rape during an armed conflict as a war crime and punish them accordingly;
 - (b) to treat cases of gender-based torture practiced on a systematic or widespread basis as a crime against humanity and to punish them accordingly;
 - (c) to recognise gender-based torture as a crime and to avoid the revictimisation of the victims;
 - (d) to address the specific needs of the most vulnerable victims, in particular women and girls;
 - (e) to ensure that victims have access to justice; and
 - (f) to promote the prevention, investigation and prosecution of gender-based violence,as well as to promote the ratification and implementation of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and to ensure that the issue of perpetrators of torture or inhuman or degrading treatment enjoying

impunity forms a vital part of peace negotiations and that the role of women in those peace processes is promoted;

16. Calls on the EU to encourage those countries that have not yet done so to ratify and implement the UN Torture Convention as well as the Rome Statute , and to incorporate the relevant provisions on gender-based violence into their domestic legislation;
17. Takes it as crucial that national prosecutors and judges should have the capacity and the expertise to properly prosecute and try individuals for gender-based crimes;
18. Expresses its concern at human rights abuses against presumed or actual LGBT persons;
19. Considers that the failure to separate transgender women prisoners from male prisoners in detention is cruel, inhuman, degrading and unacceptable;
20. Stresses the need to bear the gender-specific needs of female prisoners in mind in all places of detention when implementing appropriate international and national standards;
21. Calls on the EU, in its human rights dialogues, to promote the implementation of the UN Standard Minimum Rules for the Treatment of Prisoners, in order to ensure that prisoners' inherent dignity is respected and fundamental rights and guarantees are complied with, and also to ensure that application of the rules is extended to all places of deprivation of liberty, including mental hospitals and police stations;
22. Calls on the EU, in its human rights dialogues, to promote the implementation of the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), in order to strengthen the international norms for the treatment of women prisoners encompassing the aspects of health, gender sensitivity and childcare.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	23.1.2014
Result of final vote	+: 18 -: 0 0: 1
Members present for the final vote	Regina Bastos, Edit Bauer, Marije Cornelissen, Zita Gurmai, Mikael Gustafsson, Mary Honeyball, Constance Le Grip, Krisztina Morvai, Siiri Oviir, Antonyia Parvanova, Joanna Katarzyna Skrzydlewska, Marc Tarabella, Marina Yannakoudakis, Inês Cristina Zuber
Substitute(s) present for the final vote	Izaskun Bilbao Barandica, Anne Delvaux, Nicole Kiil-Nielsen, Christa Kläß, Angelika Werthmann

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	6.2.2014
Result of final vote	+: 57 -: 1 0: 5
Members present for the final vote	Sir Robert Atkins, Bastiaan Belder, Hiltrud Breyer, Elmar Brok, Jerzy Buzek, Tarja Cronberg, Arnaud Danjean, Mário David, Mark Demesmaeker, Michael Gahler, Marietta Giannakou, Ana Gomes, Andrzej Grzyb, Richard Howitt, Anna Ibrisagic, Liisa Jaakonsaari, Anneli Jäätteenmäki, Jelko Kacin, Tunne Kelam, Nicole Kiil-Nielsen, Maria Eleni Koppa, Andrey Kovatchev, Paweł Robert Kowal, Eduard Kukan, Vytautas Landsbergis, Ryszard Antoni Legutko, Krzysztof Lisek, Ulrike Lunacek, Marusya Lyubcheva, Willy Meyer, María Muñoz De Urquiza, Annemie Neyts-Uyttebroeck, Norica Nicolai, Raimon Obiols, Ria Oomen-Ruijten, Justas Vincas Paleckis, Pier Antonio Panzeri, Ioan Mircea Pașcu, Tonino Picula, Bernd Posselt, Hans-Gert Pöttering, Cristian Dan Preda, José Ignacio Salafranca Sánchez-Neyra, Nikolaos Salavrakos, György Schöpflin, Werner Schulz, Sophocles Sophocleous, Geoffrey Van Orden, Nikola Vuljanić, Boris Zala
Substitute(s) present for the final vote	Charalampos Angourakis, Reinhard Bütikofer, Véronique De Keyser, Kinga Gál, Elisabeth Jeggle, Antonio López-Istúriz White, Alejo Vidal-Quadras
Substitute(s) under Rule 187(2) present for the final vote	María Auxiliadora Correa Zamora, Leonidas Donskis, Verónica Lope Fontagné, Eva Ortiz Vilella, Marie-Christine Vergiat, Pablo Zalba Bidegain