

E-5063/07EN

Answer given by Ms Ferrero-Waldner
on behalf of the Commission
(19.12.2007)

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 punishment¹ constitutes an important contribution to the EU's efforts in preventing and eradicating torture and ill-treatment in third countries. The Commission has taken note of the 2007 report by Amnesty International - "European Union: Stopping the Trade in the Tools of Torture".

As provided for under the Regulation, the Commission is following the implementation by Member States of their obligations under this legislation and will consider proper enforcement action against those Member States that have not reported or that fail to apply or implement the Regulation. It aims at initiating a discussion of these matters with Member States shortly. Taking into account the views of the Member States and, if available, those of other stakeholders, the Commission will, if deemed necessary, propose the expansion of Annexes II and III to the Regulation. Annex II lists goods which have no practical use other than for the purpose of capital punishment or for the purpose of torture and ill-treatment; trade in these goods is prohibited. Annex III lists certain goods that could be used for purposes of torture and ill-treatment and require an export authorisation.

¹ OJ L 200, 30.7.2005. Regulation as last amended by Regulation (EC) No 1791/2006, OJ L 363, 20.12.2006.