

AMNESTY INTERNATIONAL

RECOMMENDATIONS TO THE G20 ON CONTROLLING THE TRADE OF TOOLS OF TORTURE

The G20 constitutes almost two-thirds of the global population, more than 80 per cent of global GDP and three-quarters of worldwide trade. As a forum with a focus on trade among other things, the G20 is uniquely placed to address the business of tools of torture, including by seizing the opportunity to affirm their collective commitment to strictly control the trade in devices that can lend themselves to serious abuses of human rights, as part of the shared global framework for sustainable development that is continuing to develop, thus setting an important example to the rest of the world.

Amnesty International welcomes this year's focus under Argentina's presidency on 'Building Consensus For Fair And Sustainable Development' which builds on the G20's commitment to the 2030 Agenda for Sustainable Development and its 2016 Action Plan on the Agenda. Implementation of the Agenda should ensure universal respect for human rights and human dignity. It also clearly recognizes that, in our increasingly interconnected world, economic policy - including trade policy - and development must be advanced and targeted in ways that contribute to peace, justice and the effective, accountable and inclusive institutions that are at the core of sustainable development (SDG Goal 16). Goal 16.1 aims to "significantly reduce all forms of violence and related death rates everywhere" and includes among its indicators the proportion of the population subjected to physical, psychological or sexual violence in the previous 12 months (Indicator 16.1.3). A commitment to ending the tools of torture trade would make a significant contribution towards achieving this goal.

FIGHTING TORTURE: CONTROL THE TRADE ON TOOLS OF TORTURE

Despite being absolutely prohibited under international law, torture persists in many countries. The prevalence of torture and other ill-treatment in the world is facilitated by a global trade in instruments which have been designed with the intention of inflicting unjustifiable pain or which risk being misused in ways that can cause pain, suffering and serious injuries, and, on some occasions, death.

It is not enough to simply prohibit and criminalize torture and, where appropriate other acts of ill-treatment under national law. States also have an obligation under international human rights law to protect people from and prevent these forms of abuse, and must take a range of measures to meet that obligation. Strict controls on the sale and trade in torture instruments, as well as cooperation among states, including information sharing, are crucial in combatting torture.

While "tools of torture" can be improvised and makeshift, with law enforcement officers using anything that comes to hand – broomsticks, plastic bags, car batteries – in many cases the equipment used is quite specific to the task. "Tools of torture" refers to a wide range of security and law enforcement equipment which could be used to torture, ill-treat or execute people. Amnesty International is calling for regulations in regard to two categories of devices:

1. INHERENTLY ABUSIVE EQUIPMENT AND EXECUTION TECHNOLOGIES

This is equipment which has no practical use other than for the purpose of torture or cruel, inhumane or degrading treatment or punishment. This includes stun batons, thumb-cuffs, neck restraints, electric shock vests and restraint chairs. This category of equipment is inherently inhumane and degrading, risks unwarranted injury and can have a devastating psychological impact on individuals. This category also includes equipment specifically designed to be used to carry out the death penalty, such as gallows and guillotines. **Amnesty International is calling for the manufacture, import, export, transit, marketing and promotion of this type of equipment to be prohibited.**

2. EQUIPMENT THAT EASILY LENDS ITSELF TO MISUSE OR/AND ABUSE

This range of equipment is mostly standard issue for police forces and prison guards around the world: handcuffs, batons, pepper spray and projectile electric shock devices such as Tasers. Such equipment has a legitimate law enforcement function, when used in accordance with international standards on the use of force, but it is often systematically abused. **Amnesty International is calling**

for strict risk-based controls on the trade and use of this type of equipment to prevent it from being used to perpetrate torture and other ill-treatment.

THE GLOBAL ALLIANCE TO END THE TRADE IN GOODS USED IN TORTURE AND CAPITAL PUNISHMENT

The “Global Alliance to end the trade in goods used in torture and capital punishment” is an EU-led initiative that was launched in September 2017 at a high-level event on the margins of the UN General Assembly. Members of the Global Alliance signed a political declaration to control the trade on goods used in torture and other-ill treatment and capital punishment.¹ One of the key purposes behind the creation of the Global Alliance is the promotion of best practice as pioneered in the EU in the regulation of the torture trade. Nine members of the G20 are already members of the Global Alliance, as are the three countries Argentina has invited to the G20 this year². The G20 process therefore offers a vital opportunity to take forward this important political commitment and move towards regulation of the torture trade, by placing it at the heart of the pre-eminent global forum on economic policy, business and trade.

As part of the implementation of Goal 16.1 of the SDGs, Amnesty International urges all member states of the G20 to:

- Show public political commitment domestically to stop the trade in “tools of torture”, by making a public declaration or joining the Global Alliance for a torture-free trade (if not already a member).
- Propose and/or support an initiative within the G20 process to ban the manufacture, import, export, transit, marketing and promotion of inherently inhumane law enforcement equipment and related training; and specifically designed execution technologies within and between G20 members.
- Develop a comprehensive national trade control system with strict risk-based restrictions on the trade and use of law enforcement equipment to reduce the risk of it being used to perpetrate torture and other ill-treatment.
- Work within all other relevant regional and international multi-lateral forums to ensure that best practices in the regulation of such equipment are shared and promoted.

¹ http://www.torturefreetrade.org/documents/170918_Political-Declaration-Torture-Free.pdf

² Argentina, Brazil, Canada, France, Germany, Italy, Mexico, United Kingdom and the EU are all part of the Global Alliance. Spain, a permanent G20 invitee, and Chile and the Netherlands, invited by Argentina this year, are also all part of the Alliance.