



Torture-Free Trade

Project: "Torture-Free Trade in North Africa"

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The founding declaration of "Alliance for Torture-Free Trade in North Africa" was signed in Cairo, Egypt, on August 31, 2024, during a regional workshop. Alliance membership includes:

1. Association des Aides Djazair for Families of Victims of Islamic Terrorism
2. Maat for Peace, Development, and Human Rights
3. Nuasi for Gender Equality Association
4. Independent Commission for Human Rights in North Africa (IACHR)
5. African Endowment Foundation.








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Definition of Torture Equipment Trade





Torture equipment trade refers to the commerce of instruments utilized for torture, physical abuse, and psychological torment, particularly against civilians. This trade encompasses a variety of practices, including::



- Mediation for sale and transfer of security equipment.
- Open promotion of previously banned equipment at arms fairs and online, such as bed nets and shock devices affixed to bodies or restraints tying prisoners to fixed objects.
- Marketing of security equipment among police agencies, including electric shock firearms, batons, and shields that are unsuitable for law enforcement.
- Introduction of new technologies and devices to the market, even those that can facilitate the death penalty, torture, or ill-treatment.
- Donation of equipment by countries or companies to military, security, or police forces in other nations as part of aid, development packages, or security sector reform projects.

Torture Equipment	Overview
<p style="text-align: center;">Chemicals</p> 	<p>Tear gas and certain chemical irritants can cause breathing difficulties, allergic reactions, and burns. Excessive exposure can be life-threatening. Some munitions, such as cluster bombs, mortars, and artillery shells, can disperse large quantities of irritants over extensive areas or distances.</p>

Torture Equipment	Overview
<p>Kinetic Impact Projectiles</p> 	<p>Kinetic impact projectiles are typically launched from rifles or specialized launchers. Some are ejected from hand grenades, such as the "sting ball grenade," which can be thrown manually or fired from a weapon. Different models of cartridges or grenades may contain varying numbers of projectiles.</p>
<p>Restraints</p> 	<p>Law enforcement commonly uses restraints such as handcuffs and leg shackles to restrict or prevent movement .</p>
<p>Abusive Restraints</p> 	<p>These abusive restraints include iron shackles, chain gangs, thumb cuffs, finger cuffs, neck cuffs, weighted leg cuffs, restraint chairs with metal restraints, mesh cages/beds, shackle boards/beds, and hoods or blindfolds.</p>
<p>Direct Contact Electroshock Weapons</p> 	<p>These weapons produce high-voltage electric shocks upon contact with a target. Examples include stun guns, stun batons, and stun shields. Projectile electroshock weapons may also be used in direct contact with the skin.</p>

Torture Equipment	Overview
<p data-bbox="235 476 630 552">Body-Worn Electroshock Devices</p> 	<p data-bbox="711 588 1469 720">Devices such as electroshock belts, sleeves, handcuffs, or vests deliver shocks when activated remotely by a third party .</p>
<p data-bbox="251 863 613 938">Projectile Electroshock Weapons</p> 	<p data-bbox="711 934 1469 1108">Typically taking the form of a gun, these weapons utilize darts or probes fired from cartridges. The probes deliver electric shocks from a distance while remaining connected to the weapon via wires.</p>
<p data-bbox="235 1205 630 1281">Handheld Kinetic Impact Weapons</p> 	<p data-bbox="711 1249 1469 1549">Also known as "striking weapons," these handheld kinetic weapons are designed to strike an individual, causing compliance through pain. Batons are among the least lethal weapons most commonly used by law enforcement. They are utilized for pushing, punching, and striking, as well as in dangerous and abusive restraint methods, including neck pinning.</p>

Torture Equipment	Overview
<p data-bbox="224 491 646 573">Inherently Abusive Kinetic Impact Weapons</p> 	<p data-bbox="711 476 1466 730">Pointed batons, often made of metal or hardened rubber, have sharp spikes. Their use should be restricted, as they can inflict excessive and unnecessary pain. The manufacture, trade, and use of such weapons by law enforcement should be prohibited .</p>
<p data-bbox="347 842 521 877">Shock Belt</p> 	<p data-bbox="711 877 1466 1079">A shock belt is a remote-controlled device capable of delivering electric shocks. It is designed to be worn around the waist, arm, leg, or ankle, and may also be incorporated into a vest with multiple points of contact, including the shoulders and waist.</p>
<p data-bbox="253 1184 613 1220">Electric Shock Catcher</p> 	<p data-bbox="711 1136 1466 1476">This device features an extendable pole with a half-ring at one end, large enough to fit around a person's waist or limbs and deliver an electric shock. It is designed to pin a person to a wall while causing pain. Such devices pose a significant risk of death by strangulation or serious injury to the neck or limbs, particularly if the pole is twisted or shaken to force compliance.</p>
<p data-bbox="326 1505 542 1541">Gas Chamber</p> 	<p data-bbox="711 1505 1466 1766">The gas chamber is a sealed structure made of steel and glass, equipped with a chair to which a person is strapped. It contains a device to introduce a lethal gas or substance into the chamber, along with an exhaust fan or similar device to remove poisoned air after execution.</p>

Torture Equipment	Overview
<p data-bbox="305 474 560 510">Lethal Injection</p> 	<p data-bbox="711 506 1469 716">Execution by lethal injection typically involves administering large doses of three chemicals: an anesthetic or painkiller, pancuronium bromide to paralyze muscles (including the diaphragm), and potassium chloride to stop the heart.</p>
<p data-bbox="329 777 535 812">Shrew Fiddle</p> 	<p data-bbox="711 783 1469 951">Shrew fiddle consists of three openings: a large one for the neck and two smaller ones for the wrists. Originally used in Middle Ages, it is still manufactured today.</p>

Content of African Commission Decision 472 of 2020

In December 2020, African Commission on Human and Peoples' Rights, during its 67th Ordinary Session, issued a decision prohibiting the use, production, export, and trade of instruments used in torture. The Commission affirmed its commitment to Articles 4, 5, and 6 of African Charter, which obligate States Parties to uphold the right to life and personal integrity, respect the inherent dignity of the human person, and prohibit all forms of torture, cruel, inhuman, or degrading treatment or punishment, as well as arbitrary arrest and detention. The decision also referenced the 2004 Robben Island Guidelines, particularly the obligation under Guideline 14, which states that States shall prohibit and prevent the use, production, and trade in equipment or materials designed to inflict torture or ill-treatment, along with any other equipment or materials intended for these purposes. It called on African States to::

- Utilize provisions of Robben Island Guidelines to address gaps in existing laws, policies, and practices, with the aim of prohibiting and preventing the use, production, export, and trade of equipment or materials designed to inflict torture or ill-treatment, as well as any other equipment or materials intended for these purposes.



- Provide full support and participation in the ongoing process of UN General Assembly to study the feasibility, scope, and criteria for possible common international standards, and support the Group of Governmental Experts in this regard.
- Prohibit use of chains, handcuffs, or other restraints that are degrading or painful in nature.
- Submit a report on status of use, production, export, and trade of law enforcement equipment, and develop guidelines for States Parties to African Charter to effectively regulate trade and production of such equipment, for submission at its sixty-eighth ordinary session.

Challenges of Implementing African Commission Resolution 472 of 2020

Despite efforts of African Commission on Human and Peoples' Rights and flexible, non-binding legal equipment it has provided, particularly Robben Island Guidelines and Resolution 472 on Prevention and Prohibition of Trade in Instruments of Torture, there has been a lack of practical application and clear implementation by states. This is especially true for Resolution 472. Several major challenges contribute to this situation, including :

A. Absence of Binding International Laws

Resolution 472 lacks a binding international legal reference to directly prevent the trade in torture instruments. To date, there is no binding international legal agreement that prohibits such trade or establishes obligations for states, companies, and other actors involved in it. Consequently, flexible and non-binding nature of Resolution 472 has led to reluctance among states, particularly African states, to implement it .

B. Non-Binding Resolution

Reluctance to implement African Commission Resolution 472 may stem from its flexible and non-binding nature. The resolution serves as one of Commission non-enforceable equipment , such as guidelines and non-binding resolutions, which provide guidance and principles but do not create legal consequences for non-compliance. Moreover, resolution lacks mechanisms to hold states accountable or impose deterrent sanctions .



C. Lack of Review and Oversight

A review of the content of Resolution 472 reveals no clauses or paragraphs indicating a mechanism for its implementation or for measuring and monitoring compliance by states. Like other flexible and non-binding African equipment, it lacks a follow-up and review process. African states are not subjected to any review regarding their progress or commitment to implementing the resolution, which has contributed to the failure to activate or implement it effectively.

D. Spread of Promotion and Marketing of Torture Equipment

African continent, like others around the world, is witnessing an increase in the promotion and marketing of repression and torture equipment by manufacturing companies involved in this trade. This occurs through various channels, including social media and international exhibitions. African countries host annual international exhibitions to promote weapons and equipment and often participate in exhibitions held in other continents, where sales and trade deals are concluded with minimal oversight.

E. Limited Knowledge of Resolution

African Commission faces a significant challenge: a lack of awareness regarding its decisions. This issue stems from insufficient marketing and dissemination efforts, as well as a lack of collaboration with civil society organizations and stakeholders responsible for expanding knowledge about Commission work. For instance, decisions often emerge during the Commission's sessions—both private and public—where it adopts more than 5 to 10 decisions at a time. This results in missed opportunities for widespread dissemination and reminders to countries about these decisions. The Commission typically publishes its decisions on its website only after the conclusion of each session, without promoting them through social media.

F. Decline of Role of Civil Society

Role of African civil society organizations in combating trade in torture equipment has noticeably diminished. Their influence and contributions are lacking, primarily due to insufficient information about these equipment and their impact on human rights.



What We Can Do to Promote Resolution 472 of 2020

1. Urge and motivate North African governments to adopt effective measures for torture-free trade, including legislative, legal, regulatory, and institutional reforms.
2. Provide recommendations and offer guidance to government and business stakeholders to enhance their ability to implement international and African legal obligations, as well as flexible legal instruments aimed at achieving responsible, torture-free, and human rights-based trade.
3. Launch awareness and educational campaigns to raise awareness about respecting and implementing human rights related to the trade in instruments of torture or other ill-treatment, and conduct training workshops for stakeholders.
4. Present comprehensive recommendations to fill gaps in existing laws, policies, and practices that aim to prohibit and prevent the use, production, export, and trade of torture equipment.
5. Carry out assessments and statistical studies to evaluate the extent of the trade in torture equipment, its various forms and features in North Africa, and provide data on its human rights impacts. This information can inform the development of plans and response measures, as well as assist in maintaining comprehensive periodic lists of prohibited goods and services.