

## Robben Island Guidelines - Introduction

"We want Robben Island to reflect the triumph of freedom and dignity over oppression and humiliation."

Ahmed Katharada, Former Robben Island Detainee

The African Union's Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (The Robben Island Guidelines or RIG) are an unprecedented instrument to fight against torture and ill treatment in Africa. The RIG is an essential tool for States in fulfilling their national, regional and international obligations to strengthen and implement the prohibition and prevention of torture. The African Commission on Human and Peoples' Rights and NGOs can also use them as a basis for reminding States and other stakeholders of what actions they should take to prevent torture and other cruel, inhuman or degrading punishment or treatment. **Background**

The Robben Island Guidelines were formally adopted by a resolution of the African Commission during its 32nd ordinary session in October 2002 and approved by the Conference of Heads of State and Government of the African Union held in Maputo, Mozambique, in July 2003.

Following an APT initiative, The Robben Island Guidelines were drafted during a joint workshop convened by the APT and the African Commission in February 2002, on Robben Island, South Africa. The latter is a venue full of symbolism for Africa as it is the island where President Nelson Mandela and other freedom fighters against the Apartheid regime in South Africa were detained for years. The adoption of the Robben Island Guidelines marked a historic step forward in the prevention of torture on the African continent.

**Chronology** of the process on the adoption of the Robben Island Guidelines.

**Resolution** of the African Commission on Human and Peoples' Rights endorsing the Robben Island Guidelines.

**Contents**

The Robben Island Guidelines are divided into three parts:

- The first part 'Prohibition of Torture' calls on States on the one hand to ratify existing legal instruments and integrate them into domestic legislation. In particular, the act of torture must be 'criminalized' and prosecuted. On the other hand, it invites States to cooperate with regional and international human rights mechanisms.
- The second part 'Prevention of Torture' presents a range of preventive measures, covering the different stages of criminal law procedure in which there is a real risk of torture occurring. It details the safeguards that should be provided, in particular, during arrest, custody, temporary detention, trial and imprisonment in general. The Guidelines also highlight the need to establish mechanisms of oversight, for example a system for regular visits to places of detention and independent bodies empowered to receive complaints. They further advocate for the setting up of educational and awareness-raising programmes for the public as well as human rights training, in particular for law enforcement officials.
- The third part 'Responding to the Needs of Victims' looks at ways of responding to the needs of such victims. Indeed, assisting the victims is also a duty of States, which should take measures to treat, support and provide reparation and rehabilitation for the victims.