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- ▶ Questions parlementaires – sujet: les conditions de detention dans l'Union européenne - Réponse donnée par M. Vitorino au nom de la Commission (question écrite: E-2311/04) (30.11.04)
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## IMPORTANT COMING MEETINGS

## EU SUMMITS

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## EU COUNCIL

## ◆ General Affairs and External Relations (GAERC)

- ▶ 13 December 2004
- ▶ 14 December 2004

## ASSOCIATION / COOPERATION COUNCIL MEETINGS

## ◆ EU- Israel association Council

- ▶ 13 December 2004

## EUROPEAN PARLIAMENT

## ◆ Plenary Session

- ▶ 13 - 16 December 2004

(draft agenda available on: <http://www2.europarl.eu.int/omk/sipade2?PROG=AGENDA&L=EN&REF=2004-12&QUERY=ALL-SIT&NAV=S>.)

- ▶ 10 - 27 January 2005

#### ◆ **Committee on Development**

- ▶ 18 January 2005
- ▶ 19 January 2005
- ▶ 20 January 2005

#### ◆ **Committee on Civil Liberties, Justice and Home Affairs**

- ▶ 18 January 2005
- ▶ 19 January 2005

#### ◆ **Committee on Women's Rights and Gender Equality**

- ▶ 24 January 2005
- ▶ 25 January 2005

#### ◆ **Subcommittee on Human Rights**

- ▶ 27 January 2005

(Calendar of meeting for the year 2005 available on :

[http://www.europarl.eu.int/meetdocs/2004\\_2009/documents/FD/DROI\\_Calendar\\_2005\\_/droi\\_calendar\\_2005\\_en.pdf](http://www.europarl.eu.int/meetdocs/2004_2009/documents/FD/DROI_Calendar_2005_/droi_calendar_2005_en.pdf))

## REGIONS:

### AFRICA

#### ◆ Zimbabwe

▶ Zimbabwe opposition appeals for EU help (30.11.04)

Will the elections scheduled for March 2005 in Zimbabwe be fair? According to Morgan TSVANGIRAI, leader of the Movement for Democratic Change (MDC), they **will not be free and they will certainly be disputed**. The MDC is the main party in opposition to President Robert Mugabe, who has been Zimbabwe's leader since independence in 1980. **Mr Tsvangirai called on the EU to do everything possible to ensure that the elections are democratic**. He argued that the current reforms are just a façade. For example, on the pretext of codifying legislation, **the Zimbabwe Parliament has adopted new laws penalising anybody who speaks out "against the economic or social interests of the country"**. **As a result, no criticism of the regime is possible. This legislative arsenal reinforces the ban on meetings of more than three people without advance police authorisation under the law on public order**. It would be a remarkable feat to conduct a campaign in these conditions, particularly as the opposition media are constantly harassed. In an effort to prevent a repeat of the scenario that occurred at the 2002 presidential elections, which were characterised by widespread fraud, the SADC (Southern African Development Community) has adopted **four recommendations: an independent electoral commission must be set up, violence must stop, there must be broad access to the media and the law on public order must be abolished**. To protest against the failure to observe these basic conditions, the MDC has suspended its campaign but is still not planning to boycott the elections. **Mr Tsvangirai is calling on the EU to put pressure on the SADC to ensure that the recommendations are implemented**. Mr Tsvangirai also welcomed the change of attitude among African leaders, who are starting to understand that the issues in Zimbabwe do not boil down to a problem of colonialism, of conflicts between whites and blacks over land distribution, but that **the real question is one of human rights and the lack of democracy**. (...)

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=PRESS-NEWSRP&L=EN&PUBREF=-//EP//TEXT+PRESS+NR-20041130-1+0+DOC+XML+V0//EN> (EN)

#### ◆ DRC

▶ Declaration of the EU Presidency on the military incursion by Rwandan armed forces into the DRC (01.12.04)

The Presidency of the European Union expresses **great concern about the military incursion by Rwandan armed forces into the DRC against FDLR and ex-FAR/Interahamwe forces. The Presidency condemns any violation of the sovereignty of the DRC and strongly opposes any attack by Rwandan or other foreign forces on armed groups present on the territory of the DRC**. It calls upon the Rwandan Government to abide by the Declaration of Principles to which it has subscribed in Dar es Salaam on the 20th of November 2004, to respect the sovereignty of the territory of the DRC and to withdraw its forces. (...)

[http://www.eu2004.nl/default.asp?CMS\\_ITEM=11B634A840264CC2B50E7BEC300C92C0X1X70228X15](http://www.eu2004.nl/default.asp?CMS_ITEM=11B634A840264CC2B50E7BEC300C92C0X1X70228X15) (EN)

▶ Javier SOLANA, Haut Représentant de l'Union européenne pour la PESC, exprime sa préoccupation suite aux informations faisant état d'activités militaires rwandaises en RDC (02.12.04)

**Le respect de la souveraineté et de l'intégrité territoriale de la République Démocratique du Congo comme de celles de tous les autres Etats de la région des Grands Lacs est fondamental**. Toute violation de ce principe sera considérée comme une atteinte au cadre fixé par les Nations Unies et aux accords signés par les Etats de la région.

En adoptant la Déclaration de Principes au Sommet de Dar Es Salaam le 20 Novembre 2004, les pays de la région se sont engagés à trouver des solutions par le dialogue et la mise en place de mesures de confiance comme celles instaurées récemment entre la RDC et le Rwanda. **Toute action unilatérale du Rwanda sera vue comme une violation de ces engagements et une menace pour le processus de paix**. Le désarmement des FDLR/ex-Far/interahamwe constitue une priorité pour la communauté internationale, mais ce problème ne pourra être réglé de cette façon. Le

Haut Représentant appelle en conséquence la RDC et le Rwanda à travailler ensemble à cette fin, en étroite coopération avec la MONUC et avec le soutien de la communauté internationale.

[http://ue.eu.int/uedocs/cms\\_Data/docs/pressdata/fr/declarations/82919.pdf](http://ue.eu.int/uedocs/cms_Data/docs/pressdata/fr/declarations/82919.pdf) (EN)

- ▶ **Javier SOLANA, Haut Représentant de l'UE pour la PESC, a rencontré Azarias RUBERWA, Vice Président de la République Démocratique du Congo** (03.12.04)

Le Haut Représentant a exprimé le soutien de l'Union européenne au processus de transition, soulignant **l'importance des élections prévues pour le printemps 2005**. La tenue de ces élections selon le calendrier agréé permettra de mieux poser les bases d'une plus grande stabilité en République Démocratique du Congo. Pour se faire l'appui de la communauté internationale est indispensable. Mais l'engagement déterminé de l'ensemble des leaders politiques de la RDC, notamment en ce qui concerne la mise en oeuvre rapide et effective des nécessaires réformes législatives, économiques et administratives, est tout aussi capital. (...)

Javier Solana a enfin fait part de sa **forte préoccupation suite à l'action unilatérale des forces rwandaises à l'Est de la RDC**, une action qu'il avait déjà condamnée publiquement à la veille de cette rencontre. Il est nécessaire de faire des efforts pour trouver une solution politique pour cette crise, en activant, entre autres, les mécanismes de vérification entre les deux pays, en promouvant le dialogue transparent, et en collaboration étroite avec la Mission des Nations Unies pour le Congo (MONUC).

[http://ue.eu.int/uedocs/cms\\_Data/docs/pressdata/fr/declarations/82956.pdf](http://ue.eu.int/uedocs/cms_Data/docs/pressdata/fr/declarations/82956.pdf) (EN)

#### ◆ ACP

- ▶ **Minister Bot to meet ministers from the African Union in Addis Ababa** (03.12.04)

For the EU the theme 'peace and security' is the most important item on the agenda. This entails, in particular, the support of **the AU mission in the Sudan, the peace process in the Great Lakes region, the crisis in Ivory Coast and the functioning of the EU 'peace facility'**. Along with that, they will also discuss means of supporting the institutional development and capacity of the AU in the area of peacekeeping.

[http://www.eu2004.nl/default.asp?CMS\\_ITEM=7B2F68CB73054D84B1B00B01EEFEB314X1X51228X62](http://www.eu2004.nl/default.asp?CMS_ITEM=7B2F68CB73054D84B1B00B01EEFEB314X1X51228X62) (EN)

### AMERICAS

#### ◆ Venezuela

- ▶ **Parliamentary questions – subject: democracy in Venezuela - Answer given by Mr Patten on behalf of the Commission (written question: P-1958/04)** (29.11.04)

The Commission congratulated the Venezuelan people on their commitment to democracy on the occasion of the referendum of 15 August 2004. The Commission also welcomed this confirmation of their readiness to implement the political agreement of 29 May 2003 between the Government and the 'Democratic Coordination' (Coordinadora Democrática) in order to promote a pacific, democratic and constitutional solution to the political crisis. (...)

**The Commission now calls on all parties to fully respect the results of the referendum, and hopes that this revocatory referendum will prove an important step and solid basis to resolve the political crisis, to promote national reconciliation and democratic stability in Venezuela within the framework of the constitution, the rule of law and democratic principles.** The Commission also hopes that the conclusion of this process will help to foster economic growth and equitable social development in Venezuela.

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=WOA&L=EN&PUBREF=-//EP//TEXT+WOA+P-2004-1958-N+0+DOC+XML+V0//EN> (EN)

#### ◆ Equatorial Guinea

► **Parliamentary questions – subject: human rights abuses - Answer given by Mr Nielson on behalf of the Commission (written question: P-1992/04) (29.11.04)**

The Commission shares the concerns voiced by both the Parliament and the Council regarding human rights abuses in Equatorial Guinea. **The Commission has, on several occasions, written to the President of Equatorial Guinea to remind him of his country's obligation to respect the essential elements contained in Article 9 of the Cotonou Agreement, in particular the respect for human rights, democratic principles and the rule of law. (...)**

The Commission's priority for this country is to assist in efforts to improve the human rights situation and to tackle poverty. In July 2000 the 8<sup>th</sup> EDF National Indicative Programme was signed. It foresees only two focal sectors:

- human rights, democratisation and the rule of law;
- poverty reduction through the funding of a project for the supply of water and sanitation to the towns of Malabo and Bata.

The basic principle of the 8<sup>th</sup> EDF NIP is that **Equatorial Guinea, with the support of the Commission and other donors, has to demonstrate significant improvement in its respect for fundamental human rights before more EDF funds can be released for other areas of cooperation.** So far only one project has been approved, 3 million, to support the country in its efforts to improve democratisation, respect for human rights and support for civil society, which commenced in February 2003. **The 9<sup>th</sup> EDF National Indicative Programme, with an allocation of 13 million, is focused entirely on capacity building, institutional support, human rights and good governance.** It is as yet unsigned, and the Commission has given a clear indication that its signature, as well as all new EDF financial decisions, will depend on the results of an evaluation mission to be carried out by the Commission in October 2004. This mission will assess the situation in the field of human rights and progress in the above mentioned 8<sup>th</sup> EDF project. The Commission will then make a judgement on whether or not Equatorial Guinea is making an effort to initiate a genuine process of democratisation. Council and Parliament will be informed of the results of the mission.

**As regards the human rights issues raised by Amnesty International, the Commission shares the Honourable Member's concerns.** The Commission's human rights project produced an Action Plan earlier this year, which will now gradually be implemented. Training programmes for the judiciary and for local law enforcement officers are included in that Plan. These issues will also be specifically addressed during the Commission's evaluation mission in October 2004.

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=WOA&L=EN&PUBREF=-//EP/TEXT+WOA+P-2004-1992-N+0+DOC+XML+V0//EN> (EN)

## ◆ Colombia

► **Javier SOLANA, EU High Representative for the Common Foreign and Security Policy, welcomes the decision by the Colombian Government to pardon a group of guerrillas** (02.12.04)

High Representative Solana welcomes the important decision by **the Colombian government to pardon twenty three members of the FARC.** He considers it a significant gesture. **The High Representative restates the EU's calls for the immediate and unconditional release by illegal armed groups of all detained hostages.** Such an act could be undertaken in the framework of a humanitarian agreement, which hopefully would contribute to the peace process in Colombia.

[http://ue.eu.int/uedocs/cms\\_Data/docs/pressdata/en/declarations/82935.pdf](http://ue.eu.int/uedocs/cms_Data/docs/pressdata/en/declarations/82935.pdf) (EN)

► **Speech from Benita Ferrero-Waldner, commissioner for External Relations and European Neighbourhood Policy, "situation in Colombia"**(02.12.04)

Let me assert first of all, that Colombia is important to us. The EU has a range of interests in Colombia, from trade and investment to the problems of drug production and the drugs trade, criminal networks, terrorism, migration and the regional dimension to conflict in Colombia. **But ranked above all are the values that we share with our Colombian friends, like respect for human rights, the constitutionality of the state, the reduction of poverty, and lasting economic and social development. (...)**

**We are very disturbed by the ongoing serious human rights abuses and the continuing security situation of many Colombians which demand our full solidarity with the Colombian people. (...)**

**Our strategy towards Colombia is based on three fundamental principles:**

The promotion of the respect for human rights and fundamental freedoms, coupled with a thorough follow-up of the humanitarian situation.

**Good governance**; in particular we support the Colombian Government's efforts to strengthen the rule of law throughout the whole country.

**Sustainable development**, and notably social cohesion, that was singled out as one of the priorities of the cooperation of the EU with Latin America at the Guadalajara Summit of May 2004. (...)

In managing Community aid to Colombia, the Commission will adhere to the following priorities:

The strengthening of the institutions and in particular in the sector of justice;

Support for peace processes through our 'Peace Laboratories' that are comprehensive programmes of integrated local development aiming to shoulder peace initiatives at local level;

**The defence of Human rights and humanitarian assistance to the victims of forced displacements.**

[http://europa.eu.int/comm/external\\_relations/news/ferrero/2004/sp04\\_508.htm](http://europa.eu.int/comm/external_relations/news/ferrero/2004/sp04_508.htm) (EN)

#### ◆ United States

- ▶ **Letter from the EU Presidency concerning the execution of Mr. Charles Walker** (30.11.04)

Letter on behalf of the European Union, The Netherlands, as the current Presidency, together with Luxembourg, the subsequent Presidency, and the European Commission concerning the execution of Mr. Charles Walker available on:

[http://www.eu2004.nl/default.asp?CMS\\_TCP=tcpAsset&id=3CC2FD3FF6A2449B8D59A52A3C88EDAA](http://www.eu2004.nl/default.asp?CMS_TCP=tcpAsset&id=3CC2FD3FF6A2449B8D59A52A3C88EDAA) (EN)

### EUROPE (outside of UE) and CIS

#### ◆ Turkey

- ▶ **"yes to negotiations" but no guarantee of membership** (30.11.04)

The Foreign Affairs Committee expresses support for *"the political reform process in Turkey and the adopted constitutional and legislative changes"*, but says that **Turkey**, like any other candidate country, must **"fully meet the political criteria"** laid down at Copenhagen in 1993 for accession by any new country - **"especially in the area of human rights and full fundamental freedoms"**, says the resolution, adding *"in both theory and practice"*. If, during the negotiations, **"serious and persistent"** breaches of human rights are noted, MEPs want the Commission to recommend **"after consultation of the European Parliament, the suspension of negotiations, in line with the Treaty on the European Union"**. (...)

Clearly, **torture is one of the worst human rights violations**. MEPs therefore call on the Turkish authorities **"to fully implement a 'zero tolerance' approach at all levels and in all aspects to eradicate torture completely"**. They also want the reforms to the legal and judicial system to be implemented and supplemented, in particular *"six important remaining pieces of legislation"* which should be adopted and put into effect before the start of the negotiations. The Foreign Affairs Committee refers to the recommendations of the Commission, which called for the Law on Associations, the new Penal Code and the Law on Intermediate Courts of Appeal, which have been adopted, to enter into force and also for the Code on Criminal Procedure, the legislation establishing the judicial police and the law on execution of punishments and measures to be adopted and applied.

The committee welcomes the release of Leyla Zana, a former winner of the Sakharov Prize, although she still has to undergo another trial, which MEPs say they hope will be *"fair and equitable"*. At the same time, **MEPs call for "the immediate release of all imprisoned persons sentenced for the non-violent expression of opinions in Turkey"**. As regards the Kurdish community, the committee urges *"the Turkish government to take more active steps to build reconciliation with those Kurdish forces who chose to abandon the use of arms"*. It also calls on Turkey **"to put an immediate end to all activities discriminating against (...) religious communities and to protect the fundamental rights of all minorities and Christian communities."**

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=PRESS-NEWSRP&L=EN&PUBREF=-//EP//TEXT+PRESS+NR-20041130-1+0+DOC+XML+V0//EN> (EN)

#### ◆ Mediterranean countries

- ▶ Presidency conclusions for the euro-mediterranean meeting of ministers of Foreign Affairs (30.11.04)

- ◆ Page 16: Human Rights and democratisation

**Progress has been made in implementing the Commission Communication on human rights and democratisation with Mediterranean partners:** the regional political dialogue has covered the rights of the child, and is envisaged to discuss the fight against racism and xenophobia; specific commitments, with objectives and benchmarks, are included in the European Neighbourhood Action Plans; **sub-committees under the Association Agreements on human rights, democratisation and governance have been set up with Morocco, Tunisia and Jordan; a dialogue has been started with Egypt.**

[http://ue.eu.int/uedocs/cms\\_Data/docs/pressdata/en/er/82876.pdf](http://ue.eu.int/uedocs/cms_Data/docs/pressdata/en/er/82876.pdf) (EN)

- ◆ **Romania**

- ▶ Progress acknowledged but more needs to be done (01.12.04)

The report on Romania's progress towards EU membership, adopted by the Foreign Affairs Committee on Tuesday by 64 votes to 8 with 5 abstentions, is *"encouraging but demanding; demanding, but friendly"*, in the words of rapporteur Pierre MOSCOVICI (PES, FR). **MEPs welcome the important steps taken by Romania but they stress that much still needs to be done, particularly on reform of the administration, the judicial system, the fight against corruption and the protection of minorities and children.** (...)

[http://www2.europarl.eu.int/omk/sipade2?SAME\\_LEVEL=1&LEVEL=1&NAV=X&DETAIL=&PUBREF=-//EP//TEXT+PRESS+NR-20041201-1+0+DOC+XML+V0//EN#SECTION4](http://www2.europarl.eu.int/omk/sipade2?SAME_LEVEL=1&LEVEL=1&NAV=X&DETAIL=&PUBREF=-//EP//TEXT+PRESS+NR-20041201-1+0+DOC+XML+V0//EN#SECTION4) (EN)

- ◆ **Ukraine**

- ▶ Situation in the Ukraine - call for freedom and democracy (01.12.04)

Opening the debate on the situation in Ukraine, Atzo NICOLAI, speaking for the Council, recalled that 5 weeks ago he had said *"Ukraine is at a crossroads and the results of the elections would set Ukraine's course for the next four years."* He recalled the EU declaration that the elections of 31 October and 21 November were *"not free or fair and did not live up to international standards."*

**The EU, he said, had not stood by and watched.** (...)

**Javier SOLANA and the special EU envoy former Dutch Ambassador BIEGMAN had both been in Kiev and had expressed regret at the electoral procedures and the timing of the announcement of the results.** Mr Nicolai stated that the EU was pleased that the Ukrainian Supreme Court had decided to take action with regard to the official announcement of the results. The EU had been in close contact with the Council of Europe, the OSCE, Russia and Ukraine, and Prime Minister BALKENENDE, in his capacity as President of the European Council, *"had been constantly working behind the scenes."* The EU had issued a call for restraint on all sides and recalled that both the Polish and Lithuanian Presidents were in Kiev in order to find a solution to the crisis. He **stressed the importance of respecting Ukraine's territorial integrity.** (...)

**The EU, he said, did not support one candidate over another but stressed the importance of the territorial integrity of the country. "EU-Ukraine relations are crucial given the EU's neighbourhood policy, what is needed is a solution that is feasible for all Ukrainians."** (...)

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=PRESS-DAILYNB&L=EN&PUBREF=-//EP//TEXT+PRESS+DN-20041201-1+0+DOC+XML+V0//EN#SECTION3> (EN)

- ▶ Speech from Benita Ferrero-Waldner, commissioner for External Relations and European Neighbourhood Policy, "situation in Ukraine" (01.12.04)

**The Commission is also very concerned at the significant breaches of fundamental democratic principles in the recent presidential elections.** In the light of reports of serious and systematic irregularities from the OSCE election observation mission, it is clear that the official published results do not reflect the will of the Ukrainian voters. The EU cannot therefore accept the election results. (...)

**The EU's message to the Ukrainian leadership is unequivocal. The democratic decision of Ukrainians must be respected.** (...)

**Two fundamental principles are essential for a solution:**

**First: Democracy must be protected.** The people of Ukraine must be in a position to freely decide the future of their country. This is not about taking sides with a particular candidate, nor is it about "interfering" in a concrete electoral process. It is about protecting accepted democratic principles.

**Second: We need stability, in the Ukraine itself and regarding her territorial integrity.** The Ukraine must remain intact as a functioning state. Splitting the country would lead to a serious crisis. (...)

**Precisely these events in the Ukraine prove that the European Union has to be active in its Neighbourhood and that others expect this of us. The European Neighbourhood Policy will therefore be an important vehicle to promote stability and fundamental European principles.**

[http://europa.eu.int/comm/external\\_relations/news/ferrero/2004/speech04\\_506\\_en.htm](http://europa.eu.int/comm/external_relations/news/ferrero/2004/speech04_506_en.htm) (EN)

► **Strict conditions for new elections in Ukraine** (02.12.04)

The EP Foreign Affairs Committee held a special meeting to discuss the crisis in Ukraine with Mr TARASHUK, Chairman of the European Affairs Committee of the Ukrainian Parliament. After expressing his gratitude for the EP's solidarity with Ukraine and joking that "*orange is also the official colour of the Dutch Presidency*" - many MEPs were sporting orange scarves and ties, the colour being worn by Mr Yushchenko's supporters - Mr Tarashuk adopted a more serious note in speaking to MEPs **about the situation in his country: "This is not a power struggle but a struggle between two major concepts: EU, Christian values and criminal values"**, he declared. He described two ways out of the current turmoil: "*There is, on the one hand, a legal solution. The Supreme Court can consider the complaints and recommend to the Central Electoral Commission (CEC) that there be a recount of the votes. On the other hand, there is a political solution, that should be led by outgoing President Kuchma*". Mr Tarashuk stressed that, despite the flawed results, **the opposition was ready to accept a re-run of the elections "under certain conditions": a new CEC should be set up, the current government should resign in order to create equal conditions for both candidates and new elections would require "heavy supervision by the OSCE" with a major presence of international observers.** Several MEPs then asked what more the EU could do, aside from taking part in the electoral observation missions? Mr Tarashuk replied that the EU could provide political and financial support but also offer Ukraine the prospect of EU membership and "*impose sanctions on all those who have been involved in falsifying the results, in the same way that the United States has imposed sanctions*".

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=PRESS-NEWSRP&L=EN&PUBREF=-//EP//TEXT+PRESS+NR-20041202-1+0+DOC+XML+V0//EN> (EN)

► **Situation in Ukraine - elections** (02.12.04)

**In adopting a joint resolution on the situation in Ukraine, MEPs express their solidarity with the Ukrainian people, whose right freely to elect its president must be recognised and implemented, and not repressed. MEPs call on the Ukrainian authorities to cancel the second round of the presidential elections and reorganise this second round before the end of this year with the participation of international observers, whilst guaranteeing an open and transparent electoral process in accordance with international democratic standards during both the election campaign and the actual voting and counting of votes, and thoroughly improving the election campaign conditions.**

Parliament calls on the government to refrain from exerting any pressure on the media, especially public media, so that the Ukrainian people receive objective and impartial information on the candidates and the current political situation in the country. (...)

MEPs call on the Council and the Commission to make it clear to the Ukrainian Government that **in no way can the use of violence against peaceful, democratic protest be tolerated and that if this is not adhered to the Partnership and Cooperation Agreement will immediately be suspended and sanctions applied.** (...)

**MEPs consider threats of separatism and the partition of Ukraine as unacceptable and expresses its commitment to the territorial integrity of Ukraine.** Parliament rejects allegations, especially by the Russian President, that, by expressing their support for the Ukrainian people's right to exercise their democratic rights, the European Union and the international community were encouraging violence; stresses at the same time that Russia carries a great responsibility for the situation in Ukraine. Parliament believes that relations with Ukraine depend on a democratic solution, and pledges its continuing support, assistance and commitment to the Ukrainian people's establishment of a free and open democratic system, their creation of a prosperous market economy.

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=PRESS-DAILYNB&L=EN&PUBREF=-//EP//TEXT+PRESS+DN-20041202-1+0+DOC+XML+V0//EN#SECTION1> (EN)

► **EP resolution on Ukraine is a "bombshell", says Yushchenko** (03.12.04)

The European Parliament ad hoc delegation which arrived in Ukraine on 2 December had meetings with President Leonid Kuchma, opposition leader Viktor Yushchenko and Volosymyr Lytvyn, Speaker of the Ukrainian Parliament. The delegation leader, European Parliament Vice-President Jacek SARYUSZ-WOLSKI (EPP-ED, PL), said afterwards: *"The visit has put the EP at the forefront of the international community in searching for a contribution to a democratic solution of the dispute. The EP is there to defend key values of democracy, the rule of law and human rights. Ukraine is a crucial neighbour of the EU. It must follow democratic principles. The European Parliament delegation comes from various parties and many countries and the EU expects Ukraine to implement democratic principles in any re-run of the second round."*(...)

Mr YUSHCHENKO, referring to the resolution on Ukraine adopted on Thursday 1 December by the European Parliament, told MEPs that the EP resolution was a *"bombshell"* that *"expressed the truth in a way not seen in writing from any other international organisation so far"*. (...)

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=PRESS-NEWSRP&L=EN&PUBREF=-//EP//TEXT+PRESS+NR-20041203-1+0+DOC+XML+V0//EN#SECTION1> (EN)

**To read the full resolution:**

<http://www2.europarl.eu.int/omk/sipade2?L=EN&OBJID=92502&MODE=SIP&NAV=X&LSTDOC=N&LEVEL=2> (EN)

► **Javier SOLANA, EU High Representative for the CFSP, comments on decision by Supreme Court of Ukraine** (03.12.04)

"I welcome the fact that the Supreme Court of Ukraine reached a decision. **The European Union had always called for a solution to the political crisis through legal means and in accordance with the constitutional procedures of the country.** I appeal on all parties and institutions in Ukraine to fully cooperate in the implementation of the decision of the Court with a view to holding free, fair and transparent elections."

[http://ue.eu.int/uedocs/cms\\_Data/docs/pressdata/en/declarations/82958.pdf](http://ue.eu.int/uedocs/cms_Data/docs/pressdata/en/declarations/82958.pdf) (EN)

**see also the declaration by Commissioner for External Relations and European Neighbourhood Policy, Benita Ferrero-Waldner:** [http://europa.eu.int/comm/external\\_relations/news/ferrero/2004/uk\\_031204.htm](http://europa.eu.int/comm/external_relations/news/ferrero/2004/uk_031204.htm)

## MAGHREB AND MIDDLE EAST

### ◆ Israel/Palestine

► **Parliamentary questions – subject: the Middle East peace process - Answer given by Mr Patten on behalf of the Commission (written question: E-1640/04)** (29.11.04)

The EU has vigorously condemned all acts of terrorism and fully recognises the right of Israel to protect its citizens against terrorist attacks. **The right to live side by side in peace and security is fundamental to progress in the Middle East Peace Process.** With many others in the international community, the EU has expressed, on numerous occasions, its **serious concerns over the route marked out for the separation barrier in the Occupied West Bank.** The envisaged departure of the route from the "Green Line" risks prejudging the outcome of future negotiations and making a two-State solution physically very difficult to implement. It also causes considerable humanitarian and economic hardship on the hundreds of thousands of Palestinians affected by its construction. **The EU has therefore asked Israel to stop and reverse the construction of the barrier** inside the occupied Palestinian Territory, including in and around East Jerusalem, which departs from the armistice line of 1949, and which is in contradiction to the relevant provisions of international law. The International Court of Justice (ICJ) has now rendered an advisory opinion on this matter which states that the construction of the barrier in occupied Palestinian territory is contrary to international law. The EU is committed to upholding and developing international law and respect for the International Court of Justice. Consequently, Member States voted unanimously in favour of the recent United Nations General Assembly resolution on the ICJ Advisory Opinion. **The EU will continue to urge Israel to comply with its legal obligations. This is also the case regarding respect for human rights and for the obligations of an occupying power. Compliance with universal human rights standards and humanitarian law by all parties involved in the Israeli/Palestinian conflict is a**

**central factor in the efforts to put the Middle East peace process back on track.** For that reason the EU is running a series of programmes and projects in the region to enhance the respect for human rights and tolerance. The EU will also continue to work with both sides to bring them back to the political process, as laid down in the Roadmap. The EU European Neighbourhood Policy is designed to support this process by strengthening relations with Israel and the Palestinians. (...)

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=WQA&L=EN&PUBREF=-//EP//TEXT+WQA+E-2004-1640-N+0+DOC+XML+V0//EN> (EN)

► **Palestinian elections: Nabil Shaath appeals for EU support** (01.12.04)

*"We have just lost our historic leader. The Palestinians are having difficulty moving forward. But **we have chosen the path of democracy despite the risks**",* said the Foreign Minister of the Palestinian Authority, Nabil SHAATH, when he addressed the EP Foreign Affairs Committee and the EP Delegation for Relations with the Palestinian Legislative Council. **Mr Shaath stressed the importance of the presidential elections of 9 January and the legislative elections to follow in the spring. He also called on Europe to play a leading role in assisting the process to go off smoothly.** (...)

The Palestinian Authority is trying to amend its electoral laws, he told MEPs. This could have an impact on the elections, as regards both the voting method and the results of the legislative elections. *"We are moving towards a mixed system, in which 50% of representatives would be elected by proportional representation and 50% by a majority system. This procedure would entail a risk for Fatah but it would allow the small parties to be better represented",* he said.

Mr Shaath highlighted the contribution the EU could make to *"reducing the risks"* in these elections. **He called on the EU to take part in the monitoring process and in drafting new electoral laws, to support the process financially and to play a political mediating role so as to achieve "a ceasefire and an end to the Israeli occupation",** which he said were preconditions for the success of the electoral process. (...)

[http://www2.europarl.eu.int/omk/sipade2?SAME\\_LEVEL=1&LEVEL=0&NAV=X&DETAIL=&PUBREF=-//EP//TEXT+PRESS+NR-20041201-1+0+DOC+XML+V0//EN](http://www2.europarl.eu.int/omk/sipade2?SAME_LEVEL=1&LEVEL=0&NAV=X&DETAIL=&PUBREF=-//EP//TEXT+PRESS+NR-20041201-1+0+DOC+XML+V0//EN) (EN)

► **Minister Bot on Middle East peace process: Shalom and Shaath meet** (29.12.04)

'As was mentioned by everybody, a window of opportunity has opened in the Middle East. This window of opportunity has been created by the constructive approach taken by all sides: the Israeli authorities have shown restraint following President Arafat's death. Likewise, the Palestinians have shown leadership following the death of their former President. **We hope that we now stand on the brink of a new chapter in Arab- Israeli relations.** To illustrate that there is reason for cautious optimism minister Shalom and minister Shaath met, and I was present. I think both ministers demonstrated leadership in agreeing to meet. Of course, this was only the beginning. (...)

The EU is willing to support the elections, also financially. The EU has also appealed to the Arab countries to make a contribution to realize progress in this field. This would be an important signal, not only to the Palestinians but also to neighbouring countries. **Israeli and Palestinian leaders are transmitting important and encouraging messages. Still, we need to be cautious and take it step by step. Everyone agrees we cannot let this opportunity pass.** (...)

[http://www.eu2004.nl/default.asp?CMS\\_ITEM=F02E6A9693354EDABF8F32777DB23DE9X2X73967X79](http://www.eu2004.nl/default.asp?CMS_ITEM=F02E6A9693354EDABF8F32777DB23DE9X2X73967X79) (EN)

► **Parliamentary questions - subject: Security during the Palestinian presidential elections – by Richard Howitt to the Council (oral question H-0495/04)**(03.12.04)

Following recent meetings with Israeli and Palestinian government officials, could the Council comment on the progress being made towards a simultaneous ceasefire prior to the Palestinian presidential elections? What assistance will the Council be offering to the Palestinian Authority to enable free and fair elections to be held and to guarantee security, thereby enabling everyone who is entitled to vote to vote unhindered?

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=QT&L=EN&PUBREF=-//EP//TEXT+QT+H-2004-0495+0+DOC+XML+V0//EN> (EN)

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**THEMATIC**

**JUSTICE AND HOME AFFAIRS**

## ◆ Justice and Home Affairs Council

- ▶ Questions parlementaires – sujet: les conditions de détention dans l'Union européenne - Réponse donnée par M. Vitorino au nom de la Commission (question écrite: E-2311/04) (30.11.04)

La Commission a connaissance des conditions de détention difficiles qui règnent dans beaucoup de prisons des Etats membres. Ces conditions ont été décrites en détail dans plusieurs documents publiés par le Conseil de l'Europe ainsi que dans le rapport du Parlement du 24 février 2004 (Rapporteur : Mr. Turco). Suite à ce rapport, le Parlement a adopté le 9 mars 2004 une recommandation sur les droits des détenus dans l'Union européenne visant à promouvoir l'élaboration d'une Charte pénitentiaire européenne commune aux pays membres du Conseil de l'Europe. Cette Charte est en train d'être élaborée dans le cadre du Conseil de l'Europe. La Commission soutient ces travaux en participant aux réunions du Conseil de Coopération Pénologique (PC-CP) du Conseil de l'Europe. De plus, la Commission a abordé le sujet de la surpopulation dans les prisons dans deux livres verts : le Livre vert sur la reconnaissance mutuelle des mesures de contrôle présentencielle non privatives de liberté et le Livre vert sur le rapprochement, la reconnaissance mutuelle et l'exécution des sanctions pénales dans l'Union européenne.

<http://www2.europarl.eu.int/omk/OM-Europarl?PROG=WOA&L=FR&PUBREF=-//EP//TEXT+WOA+E-2004-2311-N+0+DOC+XML+V0//FR> (EN)

- ▶ 2626th Council Meeting Justice and Home Affairs (02.12.04)

- ◆ Page 23: Developing countries - Democracy and human rights

The Council adopted a Regulation extending, until the end of 2006, EU support to the development and consolidation of democracy and respect of fundamental freedoms and human rights in third countries, with 134 million euros attribute to aid programmes (PE-CONS 3683/04). The Regulation seeks to continue promotion of human rights and democratic principles through amending Regulation 975/99 on the EU's technical and financial support activities in developing countries. The Commission is entrusted with defining priorities, managing Community operations and keeping the European Parliament informed on the progress of actions by region and by sector.

[http://ue.eu.int/uedocs/cms\\_Data/docs/pressdata/en/jha/82937.pdf](http://ue.eu.int/uedocs/cms_Data/docs/pressdata/en/jha/82937.pdf) (EN)