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REGIONS:

AFRICA

AMERICAS

Guatemala

► **European Parliament resolution on the proceedings against Rios Montt** (26/10/06)

“ The European Parliament ,

– having regard to its resolutions of 18 May 2000⁽¹⁾ , 14 June 2001⁽²⁾ , 11 April 2002⁽³⁾ , 10 April 2003⁽⁴⁾ and 7 July 2005⁽⁵⁾ on Guatemala,

– having regard to the International Criminal Court Statute, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention for the Protection of Human Rights and Fundamental Freedoms,

– having regard to its firm and permanent commitment to ensure compliance with the peace agreements and with human rights in Guatemala,

– having regard to Rule 115(5) of its Rules of Procedure,

A. **having regard to the allegations of crimes against humanity and genocide during the armed conflict in Guatemala**, according to which 83% of the victims of the conflict were of Mayan ethnic origin, 200 000 people were murdered and 45 000 suffered enforced disappearances, 10% of the population was displaced and entire indigenous communities were eradicated; whereas, as the Parliament has gradually come to acknowledge, these crimes cannot go unpunished,

B. whereas those accused of planning and committing the above-mentioned crimes have never been brought before a court and some of them continue to hold high political office,

C. whereas in December 2006 the 10th anniversary of the peace accords will be commemorated and the Global Agreement on Human Rights has still not been implemented: the victims have not obtained adequate compensation, whether material or symbolic; the perpetrators of the crimes have never publicly apologised; and the whereabouts of most of the disappeared people remains unknown,

D. whereas on 7 July 2006, a judge at the Spanish Audiencia Nacional issued an international warrant for the arrest of seven former Guatemalan dictators and military officers accused of genocide, torture and illegal detention,

E. whereas before issuing the warrant, the judge travelled to Guatemala to carry out investigations which he was unable to conduct following appeals to the Guatemalan constitutional court and court for resolving conflicts of jurisdiction by the defendants' lawyers,

1. **Urges the Guatemalan institutions to cooperate fully and do everything in their power to shed light on human rights violations and to ensure that those responsible are brought to justice and that the findings of investigations are made public**, as called for in the international arrest warrant issued on 7 July 2006 by the Spanish Audiencia Nacional against Jose Efraín Ríos Montt, Oscar Humberto Mejía Víctores, Ángel Aníbal Guevara Rodríguez, Germán Chupina Barahona, Pedro García Arredondo, Benedicto Lucas García and Donaldo Álvarez Ruíz, all of whom are accused of crimes of genocide, torture, terrorism and illegal detention;
2. Asks the governments and the management of the relevant banking entities concerned to cooperate in sequestrating the goods and property of the defendants, in order to ensure that they discharge their financial and civil responsibilities;
3. Urges Interpol and Europol, in the event of a request being made by the appropriate authorities, to provide the necessary means to ensure extradition;
4. Reaffirms its commitment to ensuring that those accused do not go unpunished;
5. Welcomes the progress made in the application of the principle of universal jurisdiction in respect of crimes against humanity, genocide and torture;
6. Considers that, should these proceedings be brought to a successful conclusion, the same procedure should be followed under similar circumstances in taking action against dictators and persons responsible for mass human rights violations;
7. Expresses its support for the Guatemalan people and authorities, with a view to their continuing to uphold the rule of law and fostering economic, social and political development, which will contribute to peace and national reconciliation;
8. Instructs its President to forward this resolution to the Council, the Commission, the Government of Guatemala, the governments of Central American countries, the Government of the United States of America, and the Central American Parliament. ”

<http://www.europarl.europa.eu/sides/getDoc.do?Type=TA&Reference=P6-TA-2006-0466&language=EN>

ASIA

Fiji

- ▶ **Declaration by the Presidency on behalf of the European Union on the situation in Fiji**
(26/10/06)

The European Union has noted that **the military forces of Fiji have in recent weeks repeatedly criticised the Government of Fiji, and most recently made statements, which appear to demand the resignation of the government.**

The European Union recalls that Fiji held general elections in May 2006, which were deemed credible by international observers, including notably a substantial European Union Election Observation Mission.

The European Union notes that the coalition government formed by Prime Minister Qarase following the elections has full democratic legitimacy as well as a very large majority in Parliament. **The European Union strongly believes that in a democracy, the military must be subordinate to the elected civilian leadership. The military should in no way attempt to involve itself in politics.**

http://www.consilium.europa.eu/cms3_applications/applications/newsRoom/loadBook.asp?BID=73&LANG=1&cmsid=359

Sri Lanka

► EU Presidency Statement on the Sri Lanka peace talks (26/10/06)

The Presidency of the European Union **urges the government of Sri Lanka and the LTTE to cease hostilities immediately and to go to the peace talks** in Switzerland on October 28-29 with substantial suggestions to resolve the ongoing conflict and to abide by their Geneva commitments. The Presidency believes there is no military solution to the conflict and has called on the parties to find a political solution. The legitimate interests and aspirations of all communities must be accommodated as part of the political settlement.

The EU reiterates its full support for the peace process, for the important work of the Norwegian facilitator and for the SLMM. The EU urges the parties to support and guarantee the security of the personnel of the SLMM. The EU expresses its full support for the Oslo principles of a federal solution, no secession and an accommodation of Muslims, and calls on the parties to abide by them.

The Presidency welcomes the Memorandum of Understanding signed between the Sri Lanka Freedom Party (SLFP) and United National Party (UNP) to cooperate on key issues vital for the nation's well being and to work together on a common national agenda.

The EU expresses its deep concern about the allegations of both sides committing highly serious human rights abuses, including killings of NGO workers, and urges both parties to show their commitment to respecting human rights. In this respect, the EU welcomes the announcement by President Rajapaksa of his intention to invite an international commission to inquire into recent killings, disappearances and abductions in Sri Lanka. The EU emphasises the importance of guaranteeing the independence, impartiality, credibility and effectiveness of the commission and calls on the Government of Sri Lanka **to cooperate with the Office of the High Commissioner for Human Rights.**

The Presidency expresses its deep concern about the humanitarian situation and urges the parties to protect civilians caught in the middle of the conflict. The EU urges the parties to guarantee free and safe access for NGOs and international organisations to help civilian population and communities in need of essential humanitarian assistance, and to continue valuable reconstruction and development work.

http://eu2006.fi/news_and_documents/cfsp_statements/vko43/en_GB/1161867672116/

Tibet

► European Parliament resolution on Tibet (26/10/06)

“ The European Parliament ,

- having regard to its previous resolutions on Tibet and the human rights situation in China,
- having regard to its resolution of 7 September 2006 on EU-China relations⁽¹⁾ ,
- having regard to the lack of progress in the EU-China human rights dialogue,
- having regard to the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana, Cuba between 27 August and 7 September 1990,

- having regard to the UN's International Covenant on Civil and Political Rights,
- having regard to the UN's Convention on the Rights of the Child,
- having regard to Rule 115(5) of its Rules of Procedure,

A. whereas on 30 September 2006 more than 70 Tibetans were attempting to cross the glaciated Nangpa Pass in the Himalayan region of Tibet, approximately two hours' walk from the Nepalese border, in order to seek refugee status in Nepal,

B. whereas **against the rule of international law the Chinese People's Armed Police Force (PAP) fired upon those unarmed Tibetan civilians, who included women and children**; whereas video and photographic evidence of the incident shows that the Tibetan group was moving slowly away from the Chinese forces firing upon them, did not approach the Chinese forces and did not represent a threat to the Chinese forces,

C. whereas Kelsang Namtso, a seventeen-year-old nun, was killed during the shooting by the Chinese PAP; whereas there are unconfirmed eyewitness accounts of more than one death; whereas a group of Tibetans, including children, were arrested after continuing to flee,

D. whereas the Chinese State News Agency, Xinhua, has reported an incident in the region as "self-defence" despite video and photographic evidence to the contrary; whereas the Chinese authorities have thus far not officially recognised that the incident at Nangpa Pass took place or that any individual was killed by Chinese forces.

E. whereas since September 2002 formal contacts have been re-established between the Chinese authorities and the representatives of the Dalai Lama in order to restore mutual trust and confidence,

F. whereas, despite these contacts and the importance attached to the meetings by the central Chinese authorities, **there have been frequent cases over the past years of abuses and violations of human rights perpetrated against the Tibetan population, and in particular against Tibetan monks,**

1. Condemns the excessive use of force by the Chinese People's Armed Police Force in firing upon unarmed Tibetan civilians, including children;
2. Strongly condemns the killing of an unarmed civilian who, being under 18 years of age, was also considered a child under international law;
3. Expresses its dismay at the imprisonment of Tibetan civilians, nine of whom are children;
4. Urges the Chinese authorities to guarantee that the Tibetans detained during the incident will not be ill-treated in detention and that international human rights and humanitarian law standards are being respected;
5. Urges the Chinese authorities to release immediately all children detained following the incident;
6. Urges the Chinese authorities to conduct a full investigation into the events at Nangpa Pass and ensure that those responsible for any crimes committed there are brought to justice;
7. **Calls on the Council and the Commission to monitor closely, through their representations in Nepal, the situation of those Tibetans from the group who have reached Nepal and to make strong representations to the Chinese authorities on this issue within the framework of the EU-China Human Rights Dialogue;**

8. Calls on the Council and the Commission to reiterate their position that only dialogue between the Government of the People's Republic of China and the representatives of the Dalai Lama can contribute to a peaceful and sustainable settlement for Tibet that both sides agree upon;

9. Calls on the Government of the People's Republic of China to continue its dialogue with the representatives of the Dalai Lama in order to improve respect for religious, cultural, linguistic and political rights in the Tibet Autonomous Region;

10. Instructs its President to forward this resolution to the Council, the Commission, the UN Secretary-General and the Government of the People's Republic of China. ”

<http://www.europarl.europa.eu/sides/getDoc.do?Type=TA&Reference=P6-TA-2006-0465&language=EN>

EUROPE (OUTSIDE OF UE) AND CIS

Uzbekistan

► European Parliament resolution on Uzbekistan (26/10/06)

“ The European Parliament,

– having regard to its previous resolutions on the Central Asian Republics and Uzbekistan, and in particular to its resolutions of 9 June 2005(1) and 27 October 2005(2) ,

– having regard to the Commission's Strategy Paper for Central Asia 2002-2006

– having regard to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, which entered into force on 1 July 1999,

– having regard to the conclusions of the meetings of the General Affairs and External Relations Council of 18 July and 3 October 2005,

– having regard to the Council Presidency statements on the human rights situation in Uzbekistan in 2005 and 2006,

– having regard to the report of the UN Working Group on Enforced or Involuntary Disappearances published on 27 December 2005,

– having regard to the trial monitoring report published by the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) on 3 March 2006,

– having regard to the report by UN Special Rapporteur on Torture, Manfred Nowak, on civil and political rights, including the question of torture and detention, published on 21 March 2006,

– having regard to the letter on the situation of human rights in Uzbekistan sent by the Permanent Representative of the Republic of Uzbekistan to the UN to the UN Secretary-General on 26 June 2006,

– having regard to Rule 115(5) of its Rules of Procedure,

A. whereas the next meeting of the Cooperation Council between the European Union and the Republic of Uzbekistan is scheduled for 8 November 2006,

B. whereas the General Affairs and External Relations Council is expected to consider on 13 November 2006 whether it will extend the sanctions adopted last year following the events of May 2005 in Andijan,

C. whereas the government of Uzbekistan has not addressed the conditions which the Council set out when sanctions were applied,

D. whereas the government of Uzbekistan has not yet allowed any independent inquiry into the events in Andijan on 13 May 2005, despite the constant and repeated demands made during the past year by various international bodies,

E. whereas following the Andijan massacre in 2005 the Uzbek authorities launched a crackdown on human rights defenders, independent journalists and civil society institutions, putting on trial hundreds of people suspected of involvement in the uprising,

F. whereas according to international human rights organisations there has been no news over the past year of the thousands of people arrested in an attempt to hide the truth; whereas those in detention are at serious risk of being subjected to torture and other ill-treatment; and whereas no observers have been allowed to follow the trials of many of those charged with capital offences,

G. whereas, according to the report by the UN Special Rapporteur on Torture published in March 2006, there has been no fundamental change in the widespread use of torture or in policies and practices that could effectively combat it; whereas no meaningful steps have been taken by the Uzbek government to end the culture of impunity,

H. whereas the Office of the United Nations High Commissioner for Refugees (UNHCR) in Tashkent was closed on 17 March 2006.

I. whereas after the events in Andijan hundreds of Uzbek citizens were obliged to flee to the Kyrgyz Republic and other neighbouring countries; and whereas Uzbek refugees have been extradited to Uzbekistan in flagrant violation of the 1951 UN Convention relating to the Status of Refugees,

J. whereas Uzbek society is largely secular and the limited religious extremism which exists is essentially fuelled by social injustice; and whereas the fight against religious extremism can only be conducted through legal means and not through oppression,

K. whereas civil society in Central Asia, including Uzbekistan, is increasingly calling for a more open society in which individual freedoms and human rights are fully respected, as well as for democratic change,

1. Reiterates the importance of EU-Uzbekistan relations and acknowledges Uzbekistan's crucial role in the Central Asia region, but stresses that those relations must be based on mutual respect for the principles of democracy, rule of law and human rights, as is clearly laid down in the EU-Uzbekistan Partnership and Cooperation Agreement;

2. Calls on the Council to renew the existing sanctions policy for an additional 12 months and to expand it by:

including in the EU visa ban the President, Islam Karimov, the Minister for the Interior, Bahodir Matliubov, the Minister for Defence, Ruslan Mirzaev, the Minister for Justice, Buritosh Mustafaev, the Prosecutor-General, Rashid Kodirov, the Head of the National Security Service, Rustam Inoyatov, and the Regional Governor of Andijan, Saidullo Begaliev.

freezing the assets of all individuals subject to the visa ban, making it impossible for them to access any assets they may have in the EU or in any way use the banking system within the EU;

3. Calls on the Council to make a considered decision with a view to improved future relations, on 13 November 2006, on the possible extension of sanctions, based on commitments by the Uzbekistan side

during the EU-Uzbekistan Cooperation Council on 8 November 2006 and on information obtained by European diplomats based in the area;

4. Points out that the policy of targeted sanctions has not produced positive results so far, and therefore calls on the Commission and Council to review the situation carefully in order to find ways and means of achieving the political objectives set;

5. Insists that the embargo on arms sales and military transfers be continued;

6. Calls on Uzbekistan to cooperate fully with the OSCE and with the UN, especially with regard to the call for a credible and transparent independent enquiry, to comply with international law and to be receptive to any of the UN special procedures for which invitations have been requested and open to OSCE monitors and independent observers;

7. **Calls on the Council to take all necessary measures within the UN Human Rights Council to ensure the confidential '1503' procedure does not continue to apply to Uzbekistan and to subject this country to a public mechanism of scrutiny as recommended by Louise Arbour, the UN High Commissioner for Human Rights, in her July 2005 report on the Andijan massacre;**

8. **Urges the Government of Uzbekistan to release all human rights defenders, journalists and political opposition members who are still in detention and to allow them to work freely and without fear of persecution, and to put an end to the harassment of NGOs;**

9. Urges the Uzbekistan authorities to permit the reopening of the UNHCR Office in Tashkent;

10. Calls on the Kyrgyz Republic and the other neighbouring countries to fully respect the 1951 UN Convention relating to the Status of Refugees, under which no refugees should be forcibly returned to their country of origin, and thus not to extradite Uzbek refugees to Uzbekistan; urges, in this regard, the Council and the Commission to closely follow the situation of all Uzbek refugees who have already been extradited to Uzbekistan;

11. Instructs its President to forward this resolution to the Council, the Commission, the EU Special Representative for Central Asia, the Presidents, Governments and Parliaments of Uzbekistan and Kyrgyzstan, the Secretary-General of the United Nations and the Secretary General of the OSCE. "

<http://www.europarl.europa.eu/sides/getDoc.do?Type=TA&Reference=P6-TA-2006-0467&language=EN>

Moldova

► **European Parliament resolution on Moldova (Transnistria) (26/10/06)**

" The European Parliament ,

– having regard to its previous resolutions on the situation in Moldova and the situation in Transnistria, and in particular that of 16 March 2006⁽¹⁾ ,

– having regard to the Partnership and Cooperation Agreement between Moldova and the European Union, which entered into force on 1 July 1998,

– having regard to the European Neighbourhood Policy Action Plan for Moldova, adopted on 22 February 2005, which sets the direction for strategic cooperation between the Republic of Moldova and the European Union,

- having regard to the statements of the Organization for Security and Co-operation in Europe (OSCE) at the 1999 Summit in Istanbul and the 2002 Ministerial Council meeting in Oporto,
- having regard to the Ukrainian initiative 'Towards a Resolution through Democracy', launched by the President of Ukraine, Viktor Yushchenko, on 22 April 2005,
- having regard to the Presidency statement of 18 September 2006 on the 'referendum' in the Transnistrian region of the Republic of Moldova,
- having regard to Rule 103(4) of its Rules of Procedure,

A. whereas a 'referendum' took place in the Transnistrian region of Moldova on 17 September 2006, aimed at full independence for the region and its possible unification with the Russian Federation,

B. whereas neither this 'referendum' nor its outcome were accepted by the international community, as it was organised in a completely unilateral manner by the repressive regime of Transnistria, thus blocking the possibilities for a negotiated political solution to the conflict in Moldova, and as the suggestive character of the questions and the failure to meet basic requirements for free and fair elections such as freedom of the media, freedom of assembly and political pluralism were considered as predetermining the outcome of the referendum,

C. whereas the conflict between the separatist authority of Transnistria and the central government in Moldova has largely contributed to the instability in the whole country,

D. whereas negotiations concerning the status of Transnistria have been ongoing since 1992, in the so called 5+2 Format', in which Moldova, the Transnistrian region of Moldova, Russia, Ukraine and the OSCE are participating, with the EU and the USA as observers; whereas in April 2006 the negotiations broke down,

E. whereas the European Union took important steps recently to enhance its engagement with the Republic of Moldova and the search for a resolution of the Transnistrian conflict by opening a permanent Commission delegation in Chisinau, appointing an EU Special Representative (EUSR) for Moldova with a mandate to contribute to a sustainable settlement of the Transnistrian conflict and establishing an EU Border Assistance Mission (EUBAM) to Moldova and Ukraine,

F. whereas, according to the UN's 2005 Human Development Report, Moldova is the poorest country in Europe and the situation with regard to Transnistria is a major hindrance to the country's socio-economic development,

G. whereas at the beginning of this year the Russian Federation imposed a ban on the import of agricultural products (wine, fruit and vegetables) from Moldova and Georgia, which is particularly harmful to the economic development of both countries,

H. whereas the unilateral movements for independence in Transnistria, South Ossetia and Abkhazia are not being supported by any international organisation, and continuing efforts are being made under the auspices of the OSCE and the United Nations to restore the sovereignty and territorial integrity of Moldova and Georgia,

1. Strongly denounces the attempt in the Transnistrian region of Moldova to establish its independence in a unilateral way by organising a so-called referendum;

2. Calls on the government of the Russian Federation to withhold its support from this move and in particular from the holding of so-called referenda on the independence of the region; calls on the government of the Russian Federation to give its fullest support to the multilateral efforts to find a solution to

the conflicts in its neighbourhood; calls on the government of the Russian Federation, furthermore, to fulfil the commitments made in 1996 in the Council of Europe and reflected in OSCE Summit (Istanbul, 1999) and Council of Ministers (Oporto, 2002) decisions concerning the withdrawal of Russian troops and arms from the territory of Moldova; expresses concern over the lack of progress on this issue;

3. Fully rejects the organisation and outcome of the 'referendum' on independence for the Transnistrian region of Moldova and its possible accession to the Russian Federation, as this is in sharp contradiction with the internationally recognised sovereignty and territorial integrity of the Republic of Moldova and as the repressive regime in Transnistria does not allow for the free expression of the popular will;

4. Stresses that the resolution of the Transnistrian issue constitutes a crucial element for promoting political stability and economic prosperity in the Republic of Moldova and in the whole region; stresses the need for a peaceful solution to the conflict, in line with the UN Charter and Conventions and OSCE declarations and with full respect for the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognised borders;

5. Calls on all parties to the conflict to refrain from any measures that would lead to a further escalation of the situation and to return immediately to the negotiating table in the 5+2 format and work towards a speedy and transparent solution of the conflict;

6. Calls on the Council, the Member States and the Commission to continue to give their fullest support to a political and peaceful solution of the regional conflicts in the neighbourhood which the EU shares with the Russian Federation, and urges them to discuss these matters at their next meetings with the President and government of the Russian Federation;

7. Calls on the government of Moldova to undertake confidence-building measures and put forward new proposals for the inhabitants of Transnistria, providing positive incentives in order for them fully to support a peaceful reunification of the state, with minority language rights and local autonomy being safeguarded;

8. Condemns the continued repression, harassment and intimidation of representatives of the independent media, NGOs and civil society by the self-proclaimed Transnistrian authorities;

9. Regrets the lack of significant progress in the EU talks on visa facilitation and a readmission agreement with Moldova; calls on the Council and the Commission to speed up the procedure leading to the conclusion of a visa facilitation agreement with Moldova and to ensure its implementation; considers it unfair and discriminatory that Transnistrian citizens holding Russian passports are benefiting from the possibility of travelling to the EU more easily than Moldovans, which is contributing to increased tensions over the Transnistrian region and acting as a disincentive to settlement of the dispute;

10. Expresses its satisfaction with Ukraine's decision of March 2006 to impose new customs regulations on its border with Transnistria, in line with international law;

11. Welcomes the good results achieved by the EUBAM on the border between Moldova and Ukraine, which was established in March 2005 and is playing an important role in fighting corruption, illegal trade and trafficking by improving transparency and building up appropriate operational and institutional capacities in Moldova to ensure effective border control, thus contributing to the eventual settlement of the Transnistrian conflict;

12. Expresses its strong and continuing support for the efforts of the Moldovan people to establish a fully functioning democracy, the rule of law and respect for human rights, which are essential for ensuring the progress of reforms;

13. Instructs its President to forward this resolution to the Council, the Commission, the government and parliament of Moldova, the government of Romania, the government of Ukraine, the government of the

Russian Federation, the US government, the Secretary-General of the OSCE and the Secretary-General of the Council of Europe. ”

<http://www.europarl.europa.eu/sides/getDoc.do?Type=TA&Reference=P6-TA-2006-0455&language=EN>

MAGHREB AND MIDDLE EAST

THEMATIC :

FINANCIAL PERSPECTIVES

JUSTICE AND HOME AFFAIRS

EXTERNAL RELATIONS & DEVELOPMENT-RELATED ISSUES

EU / UN REFORM

UN/EU

► EU Statement on promotion and protection of human rights (24/10/06)

- UN 61st Session; III Committee, Agenda Item 67 (b) and (c): **Promotion and Protection of Human Rights**, New York, 18 October 2006

- Statement by Ms. Leena Leikas, Legislative Secretary, Permanent Mission of Finland to the UN, on behalf of the European Union

“ Mr. Chairman,

[...]

As we begin this debate on human rights, we should go back to the very reason for our coming together. We should remind ourselves that behind the resolutions and decisions on which we work here, there are always human beings whose human rights are not realised, who are suffering from war, from hunger or discrimination, who are being threatened, tortured or even killed. **These serious human rights violations deserve firm action. Human rights are not abstract legal concepts to be deployed as political tools but are safeguards that are vital to ensure that all individuals all over the world can enjoy their rights and freedoms.**

This year we have created a new body to protect and promote human rights. **The Human Rights Council** was established to further strengthen the UN human rights machinery. We strongly support the mission of the HRC and remain committed to working, together with others, to enable the Council to start fulfilling all aspects of its mandate.

The EU attaches great importance to maintaining and further strengthening the active participation of non-governmental organisations and national human rights institutions, and the existing system of special procedures, including thematic and country mandates. Their independence and public reporting are essential features that need to be preserved. Increased cooperation by States with the Special Procedures is of fundamental importance in this respect.

In recent months, important steps have also been taken in terms of standard setting in the area of human rights. The EU warmly welcomes the adoption of the UN Declaration on the Rights of Indigenous Peoples and the International Convention for the Protection of All Persons from Enforced Disappearance during the first session of the HRC. Moreover, the EU considers that reaching an agreement on the draft Convention on the Rights of Persons with Disabilities in August was a major step forward in promoting the implementation of the rights of persons with disabilities. The EU looks forward to the formal adoption of these three instruments by this General Assembly. In the case of the two Conventions, this will enable all Member States to sign and ratify them. We attach great importance to a swift ratification of both Conventions by as many Member States as possible.

We also wish to reaffirm our strong support for the work of the UN High Commissioner for Human Rights, Mrs Louise Arbour, and her Office.

Mr. Chairman,

The EU opposes the **death penalty** in all cases and in all circumstances. We firmly believe that the abolition of the death penalty contributes to the enhancement of human dignity and the progressive development of human rights. The death penalty provides no added value in terms of deterrence. Any miscarriage or failure of justice is irreversible, when, in a cruel and inhumane way, the punishment deprives one of his or her right to life.

The EU is pleased to note that the trend towards the worldwide abolition of the death penalty continues. We applaud the abolition of the death penalty in Mexico, the Philippines and Moldova during the past year and the positive developments towards its complete abolition in many other countries.

However, despite these developments, there is still cause for great alarm. The European Union calls upon all States to abolish the death penalty, and apply an immediate moratorium on executions pending full abolition. The EU is committed to continuing to work, including in all relevant international fora, towards the abolition of death penalty in all countries The EU has carried out demarches on the death penalty during the past year in more than 30 countries in all parts of the world. The European Union expresses its deep concern about the ongoing discussion in some abolitionist countries in different parts of the world on reintroducing the death penalty into legislation.

The EU strongly deplores the fact that in a few countries, among others Iran, – in clear violation of their international legal obligations - minors are still being sentenced to death and executed.

Mr. Chairman,

Each day we learn of manifestations of grave human rights violations in all parts of the world. We cannot remain silent on these violations. The EU is alarmed at the deterioration of human rights and humanitarian situation in **Sudan**, particularly in **Darfur**, where violence against civilians, including the recent killings, and the culture of impunity remains of grave concern. We call for an immediate end to the ongoing violence and violations of human rights, including sexual and other forms of gender-based violence. We urge all parties to put an end to impunity and to fully cooperate in the implementation of relevant Security Council resolutions on Sudan, in particular resolution 1593(2005). It is of the utmost importance that human rights monitors and humanitarian workers have access to all those in need. The EU reminds the leadership of the Sudanese Government of its collective and individual responsibility to protect its citizens and to guarantee respect for human rights.

The human rights situation in **Democratic People's Republic of Korea** is a continuing cause for grave concern. As the Special Rapporteur on the situation of human rights in the DPRK has underlined, there are serious challenges in regard to, among other things, the rights to food and to life, the right to security of the person and humane treatment as well as political rights such as freedom of expression. While the country is a party to various human rights treaties and has engaged with the monitoring bodies under those treaties, there remains a deeply alarming divide between formal recognition of human rights and their substantive implementation.

In **Burma/Myanmar**, different civil society actors try to promote peaceful reconciliation and transition to democracy. We appreciate their aspirations and we emphasise that dialogue between the government and all other political and civil society forces is indispensable for the development of the country. We deplore the fact that the Burmese government has so far been unwilling to compromise and to move in the direction of an all-inclusive democracy. The Burmese regime's campaign against the Karen people, has further deteriorated an already desperate human rights situation, and resulted in ever increasing numbers of IDPs

and refugees. Furthermore, the European Union reiterates its call on the Burmese government to release Aung San Suu Kyi and all other political prisoners and to engage all political and ethnic forces of the country in a genuine dialogue with a view to bringing about true national reconciliation and the establishment of democracy.

The EU is deeply concerned about serious problems in the protection of a range of human rights in Uzbekistan, among them the rights to freedom of religion, expression, and assembly. The number of allegations of torture has not dropped and Uzbekistan failed to fully implement the recommendations made by the Special Rapporteur on Torture following his visit in 2002. We deplore the negative attitude of Uzbekistan towards several suggestions for an independent, international investigation into the events in Andijan on 12-13 May 2005 and the general lack of cooperation by the Uzbek authorities with the UN human rights mechanisms.

The EU remains deeply concerned about the development of the conflict in **Sri Lanka**, which has led to escalation of the violence and increasing violations of human rights and international humanitarian law, including extrajudicial killings and disappearances and displacement of over 200,000 people. The EU underlines again the need for thorough and credible investigation and monitoring of the alleged violations of human rights and international humanitarian law, in order to end the culture of impunity and guarantee that law and order are respected. The EU also urges both sides to respect the ceasefire agreement and to resume the peace talks as agreed in Geneva October 28-29, and to guarantee access for humanitarian aid to the population.

The EU wishes to express its deep concern at the continuing human rights violations in the **Democratic Republic of Congo**. We are gravely concerned by the ongoing abuses, predominantly in eastern parts of the country, committed by members of the Congolese armed forces and militias and call for an immediate end to sexual violence against women and girls and the recruitment of child soldiers. We also call for an immediate end to impunity, in particular by ensuring that high profile crimes are properly investigated and the perpetrators brought to justice. The EU welcomes the peaceful holding of the first round of democratic elections on 30 July 2006 and the broad participation of the Congolese people. However, the EU condemns the acts of violence which occurred between 20 and 22 August. The EU requests the Congolese authorities to pursue the electoral process in peace and dignity, following the electoral calendar proposed by the Independent Electoral Commission. In this regard, the EU requests all political actors to abstain from any acts of violence and to respect a code of conduct for the electoral campaign, in particular with regard to the prohibition of the use of hate speech. We call on the Congolese authorities to increase their collaboration with the Independent Expert, the Office of the High Commissioner for Human Rights and MONUC and in this regard welcome the invitation launched by the Congolese Minister of Human Rights to the Independent Expert to visit the country as soon as possible.

Mr. Chairman,

Human rights defenders play a crucial role in reminding governments of the human rights obligations they have towards their citizens. The UN Declaration on Human Rights Defenders stresses that all governments should ensure that human rights defenders can operate in safety and without fear of harassment and attack. However, a worrying number of attacks on defenders still take place. Recently, the EU learned with deep regret about the murder of Anna Politkovskaya in Russia.

The EU wishes to express its appreciation to all human rights defenders for the invaluable contribution they make to advance respect for human rights worldwide. The EU calls for thorough investigation of the death of Mrs Politkovskaya and the bringing of the perpetrators to justice.

The EU will continue to use its guidelines on human rights defenders to actively promote and encourage respect for the right to defend human rights. This year the EU launched a global campaign on Women

Human Rights Defenders which aims at strengthening the EU cooperation and giving visible support to women human rights activists all over the world.

Furthermore, the EU stresses the importance of the mandate of the Special Representative of the Secretary-General on the situation of human rights defenders and other relevant special procedures in enhancing the protection of human rights defenders throughout the world. It is also vital to ensure active participation of human rights defenders, as well as NGOs, in the Human Rights Council. Human rights defenders, national human rights institutions and civil society representatives play a key role in conveying the voices of those we seek to protect.

Mr. Chairman,

Freedom of expression and freedom of the press are fundamental to democracy and human rights. The EU is deeply concerned about the deteriorating situation with regard to freedom of expression, freedom of the press and the status of human rights defenders in Iran. The EU has noted with concern a number of recent cases where human rights defenders, including lawyers, labour protesters, journalists and members of ethnic and religious minorities, have been harassed, detained in harsh conditions or sentenced to lengthy prison terms as a result of the peaceful exercise of their rights. We urge Iran to comply with its international human rights obligations and to immediately release those detainees.

In this context, we also wish to express our deep concern at the violent suppression of demonstrations in Zimbabwe. This infringement of human rights and fundamental freedoms, as well as arbitrary arrests and detentions, forced mass evictions and blockage of humanitarian assistance, shows that the human rights situation in Zimbabwe continues to be alarming. The EU urges the Government of Zimbabwe to stop intimidation and assault and to respect the human rights and fundamental freedoms of its citizens. The EU will also continue to support all those in Zimbabwe working for peaceful change, the restoration of democratic standards, human rights and the rule of law.

The protection of the human rights of members of the opposition and religious minorities is equally fundamental to democracy and human rights. In **Ethiopia**, members of the opposition and civil society, including journalists and members of parliament, are being detained arbitrarily. We hope that judicial proceedings against those detainees will be finalised in the coming months. In Eritrea religious minorities suffer repression. We are concerned about the treatment of political and religious prisoners that are being held in secret detention without trial.

Civil society activists have been targets of intimidation also in **Belarus**. The EU is disturbed by the ongoing threats and illegal sentencing of non-governmental organisations and members of civil society. We deplore that the government of Belarus demonstrates unwillingness to respect international standards in democracy and human rights.

Mr. Chairman,

The EU fully supports the **right of individuals to freedom of religion or belief**, as guaranteed under Article 18 of the ICCPR. Intolerance and violence directed against members of religious communities around the world continue to be a cause of great concern. The EU condemns all forms of intolerance and discrimination based on religion or belief and urges States to ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without distinction.

Mr. Chairman,

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. This prohibition is absolute. No exceptions are permitted under international law. The EU urges all

countries that have not already done so to become parties to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Implementation of the Convention is equally important. All States parties to the convention should make clear to their officials, including police, military and other security forces, that torture will never be tolerated. Any person who perpetrates acts of torture must be brought to justice. The existence of secret detention facilities where detained persons are kept in a legal vacuum is not in conformity with international law. Prolonged incommunicado detention or detention in secret places may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment of punishment and can itself constitute a form of such treatment.

The EU warmly welcomes the entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and calls upon all States to give early consideration to signing and ratifying the Optional Protocol. The monitoring mechanisms established by the OPCAT will provide effective and innovative methods to prevent torture by exposing places of detention to public scrutiny. Rather than reacting to torture after its occurrence, detainees around the world can now be better protected against all forms of ill-treatment.

The Special Procedures, including the Special Rapporteur on Torture, also have a significant role in combating and preventing torture and ill-treatment. The EU urges all states to cooperate fully with the Special Rapporteur, to respond positively to requests to visit, and to follow up his recommendations. The EU further encourages all parties to UNCAT, whose reporting to the Committee Against Torture is pending, to fulfil this obligation as a matter of priority.

The EU continues to undertake political, diplomatic and economic initiatives to combat torture and support the rehabilitation of victims around the world.

Mr. Chairman,

Let me conclude by underlining that our commitment to promoting and protecting human rights needs to be continuously translated into action. **The rights of women, men and children continue to be gravely violated every day.** This fact should make us step up our efforts.

Thank you. “

http://eu2006.fi/news_and_documents/other_documents/vko43/en_GB/1161668941495/?u4.highlight=UN:%20Eu%20statement%20on%20promotion%20and%20protection%20of%20human%20rights

MISCELLANEOUS

European Parliament

- ▶ Ghassan Tueni - Sakharov prize nominee and campaigner for unity in Lebanon
(24/10/06)

Ghassan Tueni, a Lebanese journalist, politician and diplomat, has campaigned all his life for pluralism and tolerance in Lebanon and the Middle East. He is one of the three candidates for 2006 Sakharov prize and was nominated for the prize in memory of a number of prominent individuals assassinated in Lebanon. The other two Sakharov nominees are "all those campaigning for the freedom of people held hostage in Colombia" and Alexander Milinkevich, leader of Belarus's opposition.

Ghassan Tueni campaigns for freedom, unity and tolerance in a country often splintered among religious and ethnic lines. In his writing he promotes the idea of a nation that can be strong through its diversity. Born in Beirut in 1926 and educated at Harvard University, he returned to Lebanon in 1948 in order to carry on the work of his father, Gebrane Tueni, who ran the "An-Nahar" daily - an independent newspaper in Arabic founded by him in 1933.

His political career dates back to 1951, and he has several times held cabinet posts in Lebanese governments. As a diplomat he was Lebanon's ambassador to the United Nations between 1977 and 1982. He is also a strong supporter of the Euro-Mediterranean Parliamentary Assembly - a body that aims to build parliamentary dialogue between countries that border the Mediterranean.

Mr Tueni agreed to be nominated for the Sakharov prize for freedom of thought in memory of five people who have been assassinated in Lebanon. They are:

- **His son Gebrane Tueni:** Member of the Lebanese Parliament and a journalist who published editorials in "An-Nahar" critical of the foreign occupation of Lebanon. His persistent campaigning against the Syrian military presence and political influence in Lebanon triggered threats on his life that drove him into temporary exile in France. He died in a car bomb attack on 12 Dec 2005, one day after returning to Lebanon.

- **Rafik Hariri:** Prime Minister of Lebanon 1992-1998 and from 2000-2004. Mr Hariri played a leading role in the reconstruction of Beirut and worked towards unity of the different religious and ethnic groups. In 1993 he founded a television station in Beirut; he also founded a newspaper, "Al-mustaqbal" (The Future). He was assassinated on 14 February 2005, in a bomb attack on his convoy in central Beirut. A further 21 other people were also killed in the attack.

- **Bassel Fleihan:** An adviser to the Ministry of Finance in Lebanon, from 1993-1999 and Minister of Economy and Trade 2000-2003. He played a major role in the development of Lebanon's economic reform program. He also died following the attack which killed Mr Hariri.

- **Samir Kassir:** University professor, journalist and historian. He was also a columnist for the Lebanese daily newspaper "An-Nahar". Assassinated in a car bomb attack in Beirut on June 2, 2005

- **George Hawi:** Lebanese politician and former secretary general of the Lebanese Communist Party. Frequently spoke out against Syrian interference in Lebanese affairs. Assassinated in Beirut, in June 2005, when a bomb planted in his car was detonated by remote control.

Profiles of the other two nominees for the Sakharov prize have been published. They are;

All those fighting for hostages kidnapped in Colombia: - profile published on 10 October

Alexander Milinkevich - profile published on 17 October

The winner will be chosen by the leaders of the 7 political groups in the Parliament on 26 October.

http://www.europarl.europa.eu/news/public/story_page/015-11963-296-10-43-902-20061023STO11962-2006-23-10-2006/default_en.htm

European Parliament

- ▶ **Monday in Parliament; Schengen, female immigration, Services Directive**
(24/10/06)

The first day of the October Plenary session was marked by debates on the Schengen Information system (SIS) and the **role of immigrant women in the EU**. The SIS allows information exchange in the EU's

border-free Schengen area - extending it to new EU members is a key issue. **MEPs later heard that human rights violations are common among immigrant woman in the EU.** Parliament's internal market committee also approved the second reading of the Services Directive, which will be voted on in November. Schengen Information System

MEPs debated a package of measures setting rules for the new version of the information system, which will include the 10 new EU members in the electronic exchange of data. The rapporteur, Carlos Coelho of the European People's Party, supports the proposal of the Commission. "This is a good result for Europe, we will have more security and **more protection of data**" he said. The issue will be put to the vote on Wednesday.

The role and place of immigrant women in the EU

According to the rapporteur, Rodi Kratsa-Tsagaropoulou (Greek member of the European People's Party), **the problems concerning immigrant women are: discrimination in the workplace, in education (as regards recognition of diplomas and professional skills), violation of human rights (violence and sexual abuse), religious stereotypes, forced weddings, trafficking of human beings and mutilation of genital organs.** This report has just been adopted.

Others debates included the Protection of the environment and the civil protection mechanism.

Services Directive

On Monday evening, Parliament's Internal Market Committee approved without amendment the second reading version of the Services Directive put forward by the Council, which itself largely followed the first reading position adopted by Parliament in February. The directive should now be put to the vote at the November plenary session in Strasbourg.

http://www.europarl.europa.eu/news/public/story_page/008-12101-296-10-43-901-20061024STO12100-2006-23-10-2006/default_en.htm

European Parliament

► **Alexander Milinkevich - winner of the 2006 Sakharov Prize** (26/10/06)

Alexander Milinkevich is this year's winner of the Sakharov Prize. The Conference of Presidents - the political groups' leaders of the European Parliament - decided to award the prize for freedom of thought to the leader of the opposition in Belarus.

Milinkevich stood in presidential elections last March, the results of which were condemned by the EU and the US. **At an opposition rally protesting the results, Milinkevich was arrested and held for 15 days.** In February, the Belarus opposition leader visited the European Parliament and asked MEPs for their support, but delegations of MEPs wishing to monitor the elections were refused entry by the Belarus authorities. Milinkevich is 59 years old and studied physics and mathematics in France, Germany and the US. He was deputy mayor of his home town Hrodna in the early nineties.

The Sakharov Prize will be awarded during a formal plenary session of Parliament on 13 December. The prize comes with a certificate and a cheque for €50,000.

http://www.europarl.europa.eu/news/expert/infopress_page/015-12115-299-10-43-902-20061024IPR12114-26-10-2006-2006-true/default_en.htm