Annual report on human rights in the world 2007 and the EU's policy on the matter

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The European Parliament adopted, by 533 votes to 63 with 41 abstentions, a resolution on the Annual Report on Human Rights in the World 2007 and the European Union's policy on the matter. The own-initiative report was tabled for consideration in plenary by Marco **CAPPATO** (ADLE, IT), on behalf of the Committee on Foreign Affairs.

Parliament deplores the fact that that the EU is still far from conducting a coherent and hard-hitting policy to uphold and promote human rights around the world. Steps must be taken to strengthen the EU's common foreign and security policy (CFSP), which is often hampered by the predominance of Member States' national interests, with the aim of ensuring that the promotion of human rights is regarded as a priority. The Council and the Commission are called upon to make greater efforts to improve the ability of the EU to respond rapidly to breaches of human rights by third countries, not least by mainstreaming human rights policy into all external EU policies vis-à-vis such countries and systematically addressing human rights issues within the framework of the political dialogue at all levels.

General principles: MEPs reaffirm that human rights are universal and indivisible, effective respect for which is an essential means of guaranteeing the enforcement of international law and order, and the promotion of peace, freedom, justice and democracy. The effective "justiciability" of human rights throughout the world in local and national courts or, where this is not possible, supranational courts, should be established as an explicit and key objective of EU policies, starting with the CFSP. One of the main political goals of the EU should be to support judicial institutions at all levels, and in particular to provide support for international courts. Parliament calls on the Council and the Commission to take priority action – along the same lines as for the establishment of the ICC – to support the activities of all courts involved in protecting human rights. It considers that the right to democracy – understood as the right of every citizen to take part in the exercise of the sovereignty of the people within the framework of institutions subject to the rule of law – is an historically acquired universal human right. Consequently, a new additional step should be taken, namely the setting-up of a genuine network of democracies around the world by transforming and strengthening existing organisations.

Non-violence is the most appropriate means of ensuring that fundamental human rights are respected. Its promotion should constitute a priority objective in EU human rights and democracy policy. Parliament proposes that a European Conference on Non-Violence be convened in 2009 and that 2010 be designated 'European Year of Non-Violence. MEPs call on the Member States to endeavour, under the auspices of the United Nations, to ensure that the 'Decade of Non-Violence 2010-2020' is proclaimed.

The EU Annual Report on Human Rights 2007: Parliament considers that better information should be provided for the assessment of previous policies and that guidelines should be proposed to modify the general approach as well as to adjust the policy priorities on a country-by-country basis, with a view to the adoption of a Country Strategy on human rights or, at least, a human rights chapter in the Country Strategy Papers. It calls on the Council and the Commission to identify the 'countries of particular concern' where it is particularly difficult to promote human rights and, to that end, to develop criteria by which to measure countries by reference to their human rights score. Parliament adds that the EU's capacity to prevent, respond to, manage and resolve crises has proven to be insufficient. Amongst several recommendations, MEPs call on the Council to transform gradually the civilian aspects of the European Security and Defence Policy into a 'Civil Peace Service', responsible for the management of short-term civilian crises and longer-term peace building.

UNHCR: Members note that the UNHRC has the potential to develop into a valuable framework for the European Union's multilateral human rights efforts. However, during the last year of activities that new body has not proved its credibility. Parliament trusts that the implementation of the Universal Periodic Review mechanism will achieve the first concrete results and improvements. It calls on the Council and the Commission closely to monitor this process.

Combating the death penalty: Parliament welcomes Resolution 62/149 adopted by the United Nations General Assembly on 18 December 2007, calling for a global moratorium on the use of the death penalty, and recognises the positive cross-regional nature of the initiative. MEPs also welcome the abolition of the death penalty in Albania, Kyrgyzstan, Rwanda, in the State of New Jersey (USA) and Uzbekistan in 2007 and the beginning of 2008. However, they express disquiet at the possibility that the death penalty might again start to be enforced in Guatemala, and are concerned about China as the latter still carries out the greatest number of executions worldwide. Parliament condemns the practising of the death penalty in Belarus, and also condemns the Iranian regime's increasing use of capital punishment.

Torture and other inhuman treatment: Parliament calls on the Council and the Commission to enhance the cooperation with the Council of Europe for the purposes of creating a Europe-wide zone free from torture and other forms of ill-treatment, as a clear signal that European countries are firmly committed to eradicating these practices also within their borders. It requests the regular presence of the Presidency or the Council Secretariat in the relevant United Nations Committees as well as further cooperation with the Council of Europe and its Committee for the Prevention of Torture in order to achieve useful material input into decision-making concerning demarches towards certain countries.

Human rights defenders: MEPs call on the Council and the Commission to engage in a more transparent implementation of the European Union Guidelines on Human Rights Defenders. They expect that the identification of the Guidelines as a priority element of the EU's human rights foreign policy will be matched by the effective implementation of those Guidelines in local strategies concerning 120 countries. Parliament points out that the lack of EU demarches on behalf of human rights defenders in certain countries, such as in China, Tunisia, Ethiopia, Iran and Russia, appears to reflect a lack of consensus among EU Member States, with individual Member States prioritising different foreign policy interests and thus making collective action impossible.

China, Iran and Russia: although MEPs consider all of the third countries where human rights are violated, it is mainly China, Iran and Russia which are singled out for persistent and serious violations of human rights.

-China: MEPs emphasise that despite promises made by the Chinese regime with a view to the forthcoming Olympic Games in accordance with the Olympic Charter, the situation on the ground regarding human rights has not improved in China. However, the Beijing Olympic Games constitute an important historic opportunity to make progress in this area. MEPs urge the EU to ensure that its trading relationship with China is contingent on human rights reforms, and call on the Council to make a comprehensive evaluation of the human rights situation before finalising any new Partnership and Cooperation Framework Agreement. Parliament is concerned about the limits placed on the freedom of the Chinese and international media and equally concerned about the blacklisting of journalists and human rights activists, including the Dalai Lama, his associates and Falun Gong practitioners. It calls in this regard for the immediate release of the prominent AIDS activist Hu Jia.

-Iran: MEPs recall that the human rights dialogue with Iran has been interrupted since 2004. It is necessary to resume this dialogue with the Iranian authorities. The situation has seriously deteriorated in 2007 with the increased use of capital punishment. Iran is also condemned by MEPs for arresting thousands of men and women in moves to 'counter immoral behaviour';

-Russia: MEPs regret the lack of results from the European Union-Russia consultations on human rights and regret that the European Union has not succeeded in bringing about policy change in Russia, particularly in Chechnya and other Caucasian Republics. MEPs protest against the arrest of human rights defenders and political prisoners (including Mikhail Khodorkovsky), the lack of independence of the media, the treatment of ethnic and religious minorities, etc. They are equally concerned about the many NGOs in Russia that are victims of harassment, and they deplore Russia's unwillingness to invite international election observers during elections.

In addition, MEPs protest against the deplorable situation regarding human rights in the Maghreb countries, in Syria and in Uzbekistan. Efforts are still awaited in Turkey, a candidate country for EU-accession. MEPs also single out Sudan (Darfur), Burma and Pakistan for their lack of progress. Parliament deplores the ongoing violations of human rights and democracy by the military junta in Burma.

Women's rights: Parliament calls on the Council, the Commission and Member States to use the human rights clause to make combating all forms of female genital mutilation a priority issue in relations with non-Member States, particularly those States that have preferential relations with the EU within the framework of the Cotonou Agreement (now under the European Partnership Agreements), and to put pressure on them to adopt the necessary measures to put an end to these practices.

EIDHR: Parliament proposes that the EIDHR's budget be increased from 2009 with a view, in particular, to making additional funding available both for projects in "difficult" countries and for projects managed directly by the Commission delegations with local civil society organisations, so that any countries in which such projects are implemented can have access to Community funds.

Implementation of human rights and democracy clauses in external agreements: Parliament deplores the fact that the human rights and democracy clause, an essential element of all cooperation and partnership agreements with third countries, is still not being implemented in a concrete fashion, due to the lack of a mechanism that would allow it to be enforced. In an amendment adopted in plenary, Parliament urges the Commission, within its EU foreign trade, investment and development policies, to ensure that the economic activities of EU private companies in third countries abide by international human rights standards, in particular as regards the exploitation of natural resources and the international obligation to obtain the prior and informed consent of local communities and indigenous people affected; considers that Parliament should monitor and report on the progress made in this matter.

European Parliament's interventions: Parliament reviews its actions on human rights, and strongly regrets the rejection by the Burmese and Cuban authorities of Parliament's request for their agreement to the sending of a delegation to visit former Sakharov Prize laureates. It also strongly condemns the systematic violence and the recurrent acts of harassment suffered by the Sakharov Prize laureates the "Damas de Blanco" ("Ladies in White") when they peacefully demonstrate. It acknowledges the work of its Temporary Committee on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners, requesting the EU and Member States to work together at all levels to expose and denounce the practice of extraordinary rendition. In this respect, it wants more answers from the Polish and Romanian Governments.