Fundamental rights situation in the European Union for 2001

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The European parliament adopted its own-initiative report on human rights in the EU, based on the draft by Joke SWIEBEL (PES, Netherlands). (Please refer to the document dated 03/12/02). In addition to the points summarised in that document, Parliament also made the following statements: It felt that that the Commission had rejected the proposal to set up an EU Human Rights Monitoring Agency without sufficient grounds. This proposal will be kept on the agenda. Parliament asked the Commission to examine how the Network of Human Rights Experts could develop into a monitoring agency of this kind. Parliament repeated its request to the European Convention to incorporate the Charter of Fundamental Rights in the draft Constitution of the Union. There must be practical improvements in cooperation and coordination between the parliamentary committees responsible for human rights issues inside and outside the European Union respectively, in particular so as to clarify which committee is to be responsible for human rights in the applicant countries. The European Parliament welcomed the fact that Ireland has removed the death penalty from its Constitution and urged Greece to abolish the death penalty in all circumstances in order to meet the human rights obligations of a Member State; It reaffirmed that all ideologies are legitimate, provided that they are articulated by democratic means, and condemned those terrorist organisations which kill people because they hold elective office and/or are active in given political groupings; Terrorism causes irreparable damage and untold misery to its victims and their relatives. Parliament supported measures to combat terrorism. These must be adopted without exceeding the bounds determined by the rule of law or in any way violating human rights and civil liberties. Parliament called for a review in 2003 of the measures taken by Member States after 11 September 2001, together with a specific evaluation of their potential incompatibility with fundamental rights. On the prohibition of torture and inhuman treatment, Member States should step up their efforts in this area, by investigating thoroughly all cases of abuse and, in particular, deaths of persons held in custody in police stations, prisons or on remand pending deportation, and consistently punishing the perpetrators. The European Parliament went on to express its concern with the report by Amnesty International and the International Helsinki Federation for Human rights, entitled 'Greece: Ill-treatment, shootings and impunity'. Serious violations of human rights in one Member State are not just the responsibility of that country but should also be the proper concern of the EU as a whole. On the question of forced labour, Member States, and in particular Greece, must devise a balanced policy to combat all forms of trafficking in human beings, particularly women. It should focus not only on the prosecution of offenders but also the protection and rehabilitation of victims and cover not only trafficking for the purposes of prostitution but also other forms of forced labour and exploitation. Approximately half a million women from Central and Eastern Europe are transported every year to the European Union to be sold into prostitution. Member States must make serious efforts to combat trafficking by improving the input of the police, judicial and social authorities and throughintensive cooperation with the applicant countries and other countries adjoining the EU. With regard to freedom of conscience, Parliament called on Greece to recognise the right of conscientious objection to military service. Forms of alternative service are needed, which do not last longer than compulsory military service. Moving on to European Council meetings, Parliament asked Member States to avoid a disproportionate use of force and to instruct national police forces to control violence and preserve individual rights, even in confused crowd scenarios where violent lawbreakers are mixed with peaceful law-abiding citizens. It should be mandatory for national police forces to avoid the use of guns and to comply with the UN recommendation on a proportionate use of force and the Council of Europe ethical code for enforcement. Concerning the disorder in Genoa in July 2001, Parliament will continue to pay particular attention to the follow-up of the inquiries that were launched in Italy to ascertain if inhuman or degrading treatment or punishment (Article 4 of the Charter of Fundamental Rights of the European Union) took place. On freedom of expression, Member States must pay particular attention to political interference with the media so as to ensure that they are not divided up on a purely

political basis merely for the purpose of using them against political opponents. Member States must monitor virtual monopolies or very large concentrations of the audiovisual and written media. Those Member States that do not yet have independent self-regulatory bodies must establish them so as to combat effectively all anti-democratic tendencies, preserve cultural diversity and guarantee the quality and plurality of programmes and free access for all. On matters of immigration, Member States were asked to limit detention of asylum seekers to exceptional cases, to a limited period and only for the reasons set out in the UNHCR Guidelines on Applicable Criteria and Standards relating to the Detention of Asylum Seekers. People should not be extradited to countries where they risk the death penalty for their offences or where they risk being tortured or maltreated. Member States must not undermine this right through bilateral agreements. Parliament detailed violations by nearly all Member States of the ILO Conventions. Turning to the administration of justice, it expressed alarm at the very large number of cases in which the European Court of Human Rights has established infringements in Italy of the right to trial within a reasonable time. It is also concerned at the climate of impunity that has arisen in a number of Member States (Austria, Belgium, France, Italy, Portugal, Sweden and the United Kingdom) in which misconduct and violence by police and prison staff, particularly against asylum seekers, refugees and members of ethnic minorities, are not punished by adequate criminal penalties. Member States concerned must give higher priority to this matter in their law enforcement and prosecution policies.