Human rights in the European Union. Annual Report, June 1998 to June 1999

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The European Parliament adopted its resolution on the own- initiative tabled by Mr. Bertel HAARDER (ELDR, DK) concerning human rights in the EU. The resolution is divided into a number of headings and sub-headings: 1) A new legal and political context: - The EP recalls that human rights are a set of universal and interdependent rights applicable to all human beings. It notes that the new Treaty formally establishes that the EU is founded on respect for human rights, fundamental freedoms and the rule of law which is a requirement for membership of and accession to the Union. - It hopes that the next Council annual report on human rights will contain a country-by-country detailed analysis of developments in the human rights situation in the EU and proposes that monitoring systems and strategies be introduced in the future to improve respect for such rights. - It welcomes the fact that the protectionj of human rights in the Council of Europe has been strengthened in institutional terms with the establishment on 01/11/98 of a single and permanent human rights court to which any plaintiff may have direct access. It hopes that the new Court of Human Rights, which has experienced a significant increase in the number of applications in 1998 and 1999 and is currently faced with the task of processing more than 6,000 applications, will succeed in resolving this problem and speeding up its proceedings. - It welcomes the establishment of a Council of Europe Commissioner for Human Rights with non-judicial responsibility for promoting human rights education and awareness in the framework of the ECHR and the appointment to this post of Mr. Alvaro Gil-Robles. - It deplores the fact that yet again eleven of the fifteen Member States are listed in Amnesty International's Yearbook for 1999 on account of both serious and less serious human rights abuses. 2) Human Rights developments in the EU: This section of the report contains the following headings: - extension of the right to vote and to stand for election; - protection of national minorities; - respect for private life; - freedom of religion and belief; - violence perpetrated by police and prison personnel; - treatment of refugees and immigrants; - shortcomings of judicial services; - fight against terrorism; - equal rights for men and women; - equal rights for disabled people; - life styles and types of relationship; - bioethics and protection of human dignity. A number of shortcomings in Member States and candidate countries are cited and calls made for these to be remedied. 3) Means of strengthening protection of human rights in the EU: The Parliament stresses that the EU's very credibility in this area before the international community is dependent on proper respect for human rights and the rule of law within the Union and its institutions. It considers that in view of the new legal context arising from the Treaty of Amsterdam, theforthcoming prospect of a European Charter of Fundamental Rights and the establishment of a European area of freedom, security and justice, the EU's approach to human rights should not be limited to reporting and applying sanctions on a case-by-case basis but should form part of a genuine European human rights policy, applicable to all EU Member States. It calls for the setting up of an independent supervisory body responsible for monitoring effectively the protection of personal data and the right to private life as envisaged in Article 286 of the Treaty. It considers therefore essential that the Commission be provided with appropriate budgetary resources to establish the Area of Freedom, Security and Justice in Europe within the next five years. It stresses the importance of involving NGOs in the protection of human rights, which depends on proper financing and well-functioning cooperation with the Commission and, as far as the candidate countries are concerned, with the Council of Europe, the UN and the OSCE. The Parliament underlined the need to establish a clear hierarchy of legal rules and a proper definition and delimitation of the powers of the Court of Justice of the EC, the Court of Human Rights and the national courts, in order to prevent different legal standards from being applied. It urges the Member States to give the EU legal personality to enable it to accede to the ECHR. The Parliament stresses the importance of strengthening judicial cooperation and calls on the Member States to adopt appropriate provisions ro bring previous judicial cooperation agreements within the Community framework, in particular with regard to notification and recognition of judicial and extra-judicial acts, in order to guarantee that European citizens can rely on a properly functioning judicial system in the Union.

The Member States are urged to ratify the Convention establishing an International Criminal Court as soon as possible and to take all the necessary measures to ensure that, in the near future, perpetrators of crimes against humanity can under no circumstances benefit impunity within the EU. The EP also urged them to step up the training of law-enforcement officials and prison personnel in respect for human rights and conflict management and proposes that the future European Police Academy, which the Tampere European Council decided to set up, be responsible for this major aspect of training.