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## **REPORT**

on the Annual Report on Human Rights in the World 2007 and the  
European Union's policy on the matter  
(2007/2274(INI))

Committee on Foreign Affairs

Rapporteur: Marco Cappato

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### **on the Annual Report on Human Rights in the World 2007 and the European Union's policy on the matter (2007/2274(INI))**

*The European Parliament,*

- having regard to the ninth European Union Annual Report on Human Rights (2007)<sup>1</sup>,
- having regard to Articles 3, 6, 11, 13 and 19 of the Treaty on European Union and Articles 177 and 300 of the EC Treaty,
- having regard to the Universal Declaration of Human Rights and to all relevant international human rights instruments<sup>2</sup>,
- having regard to the United Nations Charter,
- having regard to all United Nations human rights conventions and the optional protocols thereto,
- having regard to regional human rights instruments, including in particular the African Charter on Human and Peoples' Rights, the Optional Protocol on the Rights of Women in Africa, the American Convention on Human Rights and the Arab Charter on Human Rights,
- having regard to the entry into force on 1 July 2002 of the Rome Statute of the International Criminal Court (ICC) and to its resolutions related to the International Criminal Court<sup>3</sup>,
- having regard to the Council of Europe Convention on Action against Trafficking in Human Beings and the 2005 European Union plan on best practices, standards and procedures for combating and preventing trafficking in human beings<sup>4</sup>,
- having regard to Protocol No 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), concerning the abolition of the death penalty in all circumstances,
- having regard to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Convention against Torture),
- having regard to the United Nations Convention on the Rights of the Child,
- having regard to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women and the optional protocol thereto,

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<sup>1</sup> Council document 13288/1/07.

<sup>2</sup> See the Annex to this resolution.

<sup>3</sup> OJ C 379, 7.12.1998, p. 265; OJ C 262, 18.9.2001, p. 262; OJ C 293 E, 28.11.2002, p. 88; OJ C 271 E, 12.11.2003, p. 576.

<sup>4</sup> OJ C 311, 9.12.2005, p. 1.

- having regard to the Charter of Fundamental Rights of the European Union<sup>1</sup>,
- having regard to the ACP-EC Partnership Agreement and its revision<sup>2</sup>,
- having regard to its previous resolutions on human rights in the world,
- having regard to its resolutions on the fifth and seventh sessions of the United Nations Human Rights Council, adopted on 7 June 2007<sup>3</sup> and 21 February 2008<sup>4</sup> respectively, and on the outcome of the negotiations on the United Nations Human Rights Council (UNHRC),
- having regard to its resolution of 14 February 2006 on the human rights and democracy clause in European Union agreements<sup>5</sup>,
- having regard to its resolutions of 1 February 2007<sup>6</sup> and of 26 April 2007<sup>7</sup> on the initiative for a universal moratorium on the death penalty and to United Nations General Assembly Resolution 62/149 of 18 December 2007 on the moratorium of the use of death penalty,
- having regard to its resolution of 20 September 2001 on female genital mutilation<sup>8</sup>, which affirms that any form of such mutilation, of whatever degree, is an act of violence against women and constitutes a violation of their fundamental rights,
- having regard to its resolution of 6 September 2007 on the functioning of the human rights dialogues and consultations on human rights with third countries<sup>9</sup>, including women's rights which are to be explicitly addressed in all human rights dialogues,
- having regard to its resolution of 6 July 2006 on freedom of expression on the Internet<sup>10</sup>,
- having regard to all urgency human rights resolutions adopted by it,
- having regard to the European Union NGO Human Rights Forum, held in Lisbon in December 2007,
- having regard to the United Nations Convention on the Rights of Persons with Disabilities, which was signed by the European Communities and the majority of its Member States on 30 March 2007 and which lays down an obligation to incorporate the interests and concerns of persons with disabilities in human rights actions towards third countries,

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<sup>1</sup> OJ C 303, 14.12.2007, p. 1.

<sup>2</sup> OJ L 317, 15.12.2000, p. 3; OJ L 209, 11.8.2005, p. 27.

<sup>3</sup> Texts adopted, P6\_TA(2007) 0235

<sup>4</sup> Texts adopted, P6\_TA(2008)0065.

<sup>5</sup> OJ C 290 E, 29.11.2006, p. 107.

<sup>6</sup> OJ C 250 E, 25.10.2007, p. 91.

<sup>7</sup> OJ C 74 E, 20.3.2008, p. 775.

<sup>8</sup> OJ C 77 E, 28.3.2002, p. 126.

<sup>9</sup> Texts adopted, P6\_TA(2007)0381.

<sup>10</sup> OJ C 303 E, 13.12.2006, p. 879.

- having regard to the Guidance Note on Disability and Development for European Union delegations and services, published in July 2004,
  - having regard to the United Nations Declaration on Human Rights Defenders and the activities of the Special Representative of the United Nations Secretary-General on the Situation of Human Rights Defenders,
  - having regard to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted in December 2006,
  - having regard to the European Union Guidelines on promoting compliance with international humanitarian law<sup>1</sup>, on children and armed conflict and on human rights defenders, as well as on the death penalty, torture and other cruel, inhuman or degrading treatment, human rights dialogues with third countries and on promotion and protection of the rights of the child,
  - having regard to Rules 45 and 112(2) of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development and the Committee on Civil Liberties, Justice and Home Affairs (A6-0153/2008),
- A. whereas the European Union Annual Report on Human Rights 2007 produced by the Council and the Commission provides a general overview of the activities of the European Union institutions regarding human rights inside and outside the European Union,
- B. whereas the 2007 Annual Report sets out to examine, evaluate and, in specific cases, offer constructive criticism of the human rights activities of the Commission, the Council and Parliament,
- C. whereas the European Union's internal human rights record undoubtedly has a direct impact on its credibility and ability to implement an effective external policy,
- D. whereas human rights and their protection rely on – and should be promoted in parallel with – the rule of law, democratic governance, the principle of the separation of powers and political accountability, as well as political rights that can allow their beneficiaries to be their own advocates of human rights,
- E. whereas efforts must be made to focus greater attention on respect for basic human rights, in particular political rights, in the negotiation and implementation of bilateral or regional trade agreements, even those concluded with important trading partners,
- F. whereas justice, freedom, democracy and the rule of law, guaranteeing as they do fundamental freedoms and human rights, are the pillars of sustainable peace, and whereas sustainable peace cannot be achieved through deals to protect those responsible for systematic human rights abuses or violations of international humanitarian law,

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<sup>1</sup> OJ C 327, 23.12.2005, p. 4.

- G. whereas policies promoting human rights remain under threat in various regions of the world, as the violation of human rights inevitably goes hand in hand with an effort by their violators to reduce the impact of any policy promoting them, particularly in countries where human rights violations are crucial in maintaining a non-democratic government in power,
- H. whereas 82% of disabled people still live below the poverty line in developing countries and continue to be subjected to the most grave human rights abuses, including denial of the right to life and exposure to inhuman or degrading treatment, and whereas the situation of children with disabilities is of particular concern in this regard,
- I. whereas, according to the Constitution of the World Health Organization (WHO), 'the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition', and whereas the health of all peoples is fundamental to the attainment of peace and security,
1. Deplores the fact that that the European Union is still far from conducting a coherent and hard-hitting policy to uphold and promote human rights around the world, and stresses the need to conduct such a policy more effectively; considers that substantial progress needs to be made in order to ensure strict compliance with existing EU human rights provisions;
  2. Believes that, in order to bring about a significant improvement in the promotion of human rights, steps should 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, and to ensure that the promotion of human rights as an objective of the CFSP, as outlined in Article 11 of the Treaty on European Union, is strictly implemented;
  3. Calls on the Commission and the Council to make greater efforts to improve the ability of the European Union to respond rapidly to breaches of human rights by third countries, not least by mainstreaming human rights policy into all external European Union policies vis-à-vis such countries and systematically addressing human rights issues within the framework of the political dialogue at all levels;

***General principles and proposals on human rights, democracy, peace and non-violence***

4. Reaffirms that human rights – as defined in the main international instruments and conventions, including the Charter of Fundamental Rights of the European Union – are universal rights, historically acquired natural rights, practical and effective respect for which is an essential means of guaranteeing the implementation and enforcement of international law and order, and the promotion of peace, freedom, justice and democracy;
5. Considers that 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;

6. Considers that one of the main political goals of the European Union should be to support judicial institutions at all levels, as part of efforts to ensure effective compliance with human rights, and in particular to provide support for international courts;
7. Calls on the Commission and the Council, therefore, to take priority action – along the same lines as for the establishment of the International Criminal Court – to support the activities of all courts involved in protecting human rights; considers, in particular, that the excessive workload of the European Court of Human Rights must be tackled by the allocation of additional financial resources, that maximum support should be given to the work of the Inter-American Court of Human Rights and the African Court on Human and Peoples' Rights, and that steps should be taken to help facilitate the establishment of a Court of Human Rights between states in Asia and the Pacific;
8. 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 a historically acquired universal human right explicitly recognised by the European Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the 1993 Vienna Declaration and the United Nations Millennium Declaration; considers that this right to democracy carries with it the duty for international community institutions, the European Union and all the Member States to work towards removing obstacles in the way of their full enjoyment throughout the world; considers that the strategic goal of this should be to set up a genuine World Democracy and Democracies Organisation, to be achieved either by transforming and strengthening existing supranational institutions – using the Community of Democracies as a basis – or by establishing new institutions;
9. Considers Ghandian non-violence to be the most appropriate means of ensuring that fundamental human rights are enjoyed, upheld, promoted and respected to the full; believes that its promotion should constitute a priority objective in EU human rights and democracy policy and intends to contribute to keeping up to date with and studying modern non-violent theory and practice, partly through a comparative analysis of the best practice used in the past; proposes, with a view to giving this idea a central political role, that a European Conference on Non-Violence be convened in 2009 and that 2010 be designated 'European Year of Non-Violence'; calls 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 European Union Annual Report on Human Rights 2007***

10. Underlines the importance of the European Union Annual Report on Human Rights in analysing and evaluating the European Union's human rights policy, and recognises that the Report has given an overview of the rising volume of European Union human rights-related activities;
11. Considers that more and better information should be provided for the assessment of

previous policies and that elements and 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; reiterates its call for a regular periodic assessment of the use and the results of European Union policies, instruments and initiatives on human rights in third countries; calls on the Commission and the Council to develop specific quantifiable indices and benchmarks in order to measure the effectiveness of those policies;

12. Welcomes the public presentation of the 2007 Report by the Council and the Commission at the December 2007 plenary session, in parallel with Parliament's award of its annual Sakharov Prize for Freedom of Thought to Mr Salih Mahmoud Mohamed Osman from Sudan; has now established a regular practice and made the December European Parliament plenary session an annual focal point for the EU's activities on human rights;
13. Calls once again 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, thereby enabling specific policy priorities to be established;

#### ***Council and Commission activities in the area of human rights in international fora***

14. Considers that a quantitative and qualitative improvement of the Council's human rights secretariat would enable the European Union to raise its profile and consolidate its role in promoting and ensuring respect for human rights in its external policy; expects the appointment of a High Representative for the CFSP, who will also be a Vice-President of the Commission, to enhance considerably the coherence and effectiveness of the EU in this area;
15. Considers that the progress made in setting up the Fundamental Rights Agency represents a first step in responding to Parliament's call for the establishment of an integrated framework of rules and institutions designed to confer binding force on the Charter of Fundamental Rights and to ensure compliance with the system provided for in the ECHR; as well as to draw up a comprehensive EU policy on minority rights; underlines the importance of the fact that the mandate of the Agency also covers those countries which have concluded a Stabilisation and Association Agreement with the EU;
16. Considers it essential that European Union special representatives should in future have a mandate which specifically mentions promoting and ensuring respect for human rights;
17. Considers that the European Union's capacity to prevent, respond to, manage and resolve crises has proven to be insufficient, and requests the Council, following its previous recommendations on the establishment of a European Civil Peace Corps, to gradually transform the civilian aspects of the European Security and Defence Policy into a 'Civil Peace Service' for the management of short-term civilian crises and longer-term peace building; is of the opinion that, within this framework, the

European Union should strengthen civil society networks on the ground – at sub-national, national and regional levels – so as to foster confidence building, capacity building, monitoring and awareness raising, thereby supporting the institutionalisation of civil society participation in regional and sub-regional peace and security structures;

18. Reiterates its request to the Commission to encourage European Union Member States, and third countries with which there are ongoing negotiations for future accession, to sign up to, and ratify, all core United Nations and Council of Europe human rights conventions and the optional protocols thereto; draws the attention of European Union Member States to, in particular, the need to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, which none of the Member States has ratified to date<sup>1</sup>;
19. Calls for prompt ratification of the United Nations Convention on the Rights of Persons with Disabilities by the European Community and its Member States; insists that the Optional Protocol to the Convention should be regarded as an integral part thereof, and calls for simultaneous accession to the Convention and the Protocol;
20. Emphasises the need to strengthen further the active involvement of the European Union and its Member States with respect to human rights and democracy issues as regards their participation in a variety of international fora in 2008, including in the work of the UNHRC, the United Nations General Assembly, the Ministerial Council of the Organization for Security and Co-operation in Europe (OSCE) and the Council of Europe;
21. Calls for improved cooperation and coordination between the Council of Europe and the European Union; welcomes the fact that a Memorandum of Understanding between the Council of Europe and the European Union was signed on 11 May 2007 and calls on both parties to put it into practice; in particular, refers to the following recommendations contained in the Juncker Report:
  - the recommendation that a mechanism be explicitly created for the European Union to refer issues to the Commissioner for Human Rights, complementing the action of the European Union's existing bodies, whether in the context of enlargement, the European Neighbourhood Policy (ENP) or the Stabilisation and Association Process;
  - the recommendation that machinery be devised to promote and strengthen democracy and make full use of the Venice Commission's expertise;
  - the recommendation that a system be created for referring issues to the expertise of the Council of Europe, with a view to ensuring coherence and complementarity between the work of the European Union and of the Council of Europe;
22. Calls for enhanced cooperation between the Council of Europe and the European Union in the field of promoting minority rights and protecting regional and minority languages; calls for the use of the legally binding conventions of the Council of

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<sup>1</sup> As of June 2007.

Europe, such as the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, and their well-functioning monitoring mechanism; urges consideration of the Convention's Advisory Committee's opinion on the measures taken by the reporting States and consideration of the reports of the Charter's Committee of Experts on the fulfilment of the States Parties' undertakings in the work of the EU institutions, and in particular during the accession process in respect of candidate countries;

23. Notes that the UNHRC has the potential to develop into a valuable framework for the European Union's multilateral human rights efforts; regrets the fact that during the last year of activities that new body has not improved the United Nations' human rights record; trusts that the implementation of the Universal Periodic Review mechanism will achieve the first concrete results and improvements; calls on the Council and the Commission closely to monitor this process so as to ensure that it implements United Nations General Assembly Resolution 60/251 of 15 March 2006, which is the starting point for the universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; calls on the Council to consult Parliament on this matter;
24. Welcomes the fact that the complaint procedure based on the previous '1503 procedure' will continue to allow individuals and organisations to bring complaints about gross and reliably attested violations of human rights to the attention of the UNHRC, and calls on the Commission and the Council to ensure that non-governmental organisations (NGOs) continue to be heard in the UNHRC, so that they may avail themselves of the prerogatives granted by their consultative status to submit written communications and make oral declarations;
25. Reaffirms the importance of the special procedures and country mandates within the UNHRC; insists that the process for the renewal of mandates must be transparent and that efforts must be made to appoint independent and experienced candidates who are properly representative, both geographically and in terms of gender; notes that the mandate of the expert panel on Darfur has had to be merged with that of the Special Rapporteur on Sudan; also notes the European Union's decision to support a resolution calling for the non-renewal of the mandate of the human rights experts on Darfur and the UNHRC's decision not to renew the mandates in respect of Belarus and Cuba;
26. Calls on the Council, the Commission and the Member States to continue to press for the establishment of membership criteria for election to the UNHRC, including the issuing of permanent invitations to Special Procedures; also calls for monitoring of the actual implementation of the election pledges of the governments of the UN Member States; calls for this rule to be applied in determining whether the EU should support candidate countries;
27. In this regard, calls on the European Union to formally engage with democratic governments from other regional groups in order to start formal cooperation and consultation within the UNHRC with a view to guaranteeing the success of

initiatives aimed at the respect of the principles contained in the Universal Declaration of Human Rights; considers that it is only through concerted action by a cross-regional alliance of democratic states that the European Union's multilateral human rights efforts can be effective in United Nations fora, as has been shown by the recent successful adoption, on 18 December 2007, of the above-mentioned General Assembly Resolution 62/149 on the moratorium on the use of the death penalty;

28. Welcomes the fact that the Commission used its position, as chair of the Kimberley Process throughout 2007, to strengthen the mechanisms designed to stem the flow of conflict diamonds; reiterates the importance of the Kimberley Process, given the connection between stopping the trade in conflict diamonds and the achievement of sustainable peace and security; also welcomes Turkey and Liberia as new participants in 2007 and the re-admission of the Republic of the Congo to the Kimberley Process (bringing to 48 the total number of participants, including the European Community representing 27 Member States);
29. Welcomes the fact that the third international conference aiming at the conclusion of an international treaty prohibiting the production, use, transfer or storage of cluster bombs in accordance with the principles of international humanitarian law was held in Vienna in December 2007 with the full support of the European Union<sup>1</sup>; calls on Romania and Cyprus, as the only two EU Member States that have not yet done so, to endorse the Oslo Declaration of 23 February 2007; fully supports the Oslo Process conferences held in Wellington from 18 to 22 February 2008 and fixed to take place in Dublin from 19 to 30 May 2008; expects that all European Union Member States will be able to sign the treaty at the ceremony planned to be held in Oslo in late 2008;
30. Calls on the Council and the Commission to continue their vigorous efforts to promote universal ratification of the Rome Statute and the adoption of the requisite national implementing legislation, in conformity with Council Common Position 2003/444/CFSP of 16 June 2003 on the International Criminal Court<sup>2</sup> (ICC) and the Action Plan; points out that not all Council presidencies pursue this common goal with the same vigour; asks all presidencies to mention the status of the ICC cooperation in all summits with third countries; requests that such efforts be extended to include ratification and implementation of the Agreement on the Privileges and Immunities of the ICC, which is an important operational tool for the Court; notes the entry into force on 8 December 2007 of the agreement with the United Kingdom on the enforcement of sentences (and the entry into force of a similar agreement concluded with Austria in 2005), and urges all Member States to consider concluding similar agreements with the ICC; acknowledges the Cooperation and Assistance Agreement between the European Union and the ICC as an important tool to supplement the obligations incumbent on individual Member States;
31. Welcomes the fact that Japan ratified the Rome Statute in July 2007, thereby bringing the total number of States Parties to 105 in December 2007; urges the Czech

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<sup>1</sup> Over 140 civil society representatives and 138 states participated (of which 94 have endorsed the Oslo Declaration or the Oslo Process).

<sup>2</sup> OJ L 150, 18.6.2003, p. 67.

Republic, as the only remaining European Union Member State not to have ratified the Rome Statute, to do so without delay; calls once again on all countries that have not yet ratified the Rome Statute to do so without delay<sup>1</sup>; calls on Romania to rescind its Bilateral Immunity Agreement with the USA;

32. Urges all Member States to collaborate fully in international criminal justice mechanisms, and especially in bringing fugitives to justice; in this regard, notes with satisfaction the cooperation of the Democratic Republic of the Congo in the transfer of Germain Katanga to the ICC, the cooperation of Serbia in the arrest and transfer of Zdravko Tolimir to the International Criminal Tribunal for the former Yugoslavia (ICTY) and the cooperation of Serbia and Montenegro in the arrest and transfer of Vlastimir Đjordžević to the ICTY; however, notes with concern the persistent failure of Sudan to cooperate with the ICC by arresting and transferring Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman; notes with concern that the ICC warrants for the arrest of four members of the Lord's Resistance Army in Uganda have not yet been executed; also notes with concern that Radovan Karadžić and Ratko Mladić remain at large and have not been brought before the ICTY; in this regard, calls on the Serbian authorities to ensure full cooperation with the ICTY, which should lead to the arrest and transfer of all remaining indictees, in order to open the way to the signing of a Stabilisation and Association Agreement; considers further that the current proceedings brought against Liberia's former President, Charles Taylor, by the Special Court for Sierra Leone in The Hague constitutes a significant development towards the ending of impunity;
33. Underscores the need to strengthen the international criminal justice system and in this respect recognises the establishment of the Justice Rapid Response mechanism in November 2007 as a new international cooperative mechanism for the provision of expertise and assistance where the identification, collection and preservation of information would assist in a wide range of international and transitional justice options<sup>2</sup>; urges the ICC to intensify its outreach efforts with a view to engaging communities in situations under investigation in a process of constructive interaction with the ICC, designed to promote understanding and support for its mandate, to manage expectations and to enable those communities to follow and understand the international criminal justice process; highlights the role that can be played by non-judicial mechanisms in addressing violations of human rights and international criminal law, provided that such efforts respect due process and are not a sham;
34. Welcomes the adoption by the United Nations General Assembly of the declaration on the rights of indigenous peoples and congratulates the Council and Member States for backing the adoption of that text, which will create a framework in which States can protect and promote the rights of indigenous people without exclusion or

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<sup>1</sup> As of 13 March 2008, 87 states had not yet ratified the Rome statute: Algeria, Angola, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Bhutan, Brunei, Cameroon, Cape Verde, Chile, China, Côte d'Ivoire, Cuba, Czech Republic, Democratic People's Republic of Korea, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Grenada, Guatemala, Guinea-Bissau, Haiti, India, Indonesia, Iran, Iraq, Israel, Jamaica, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Laos, Lebanon, Libya, Madagascar, Malaysia, Maldives, Mauritania, Federated States of Micronesia, Moldova, Monaco, Morocco, Mozambique, Myanmar/Burma, Nepal, Nicaragua, Oman, Pakistan, Palau, Papua New Guinea, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Seychelles, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syria, Thailand, Togo, Tonga, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United States of America, Uzbekistan, Vanuatu, Vietnam, Yemen, Zimbabwe.

<sup>2</sup> [http://www.justicerapidresponse.org/Documents1/JRR\\_NY\\_NOV07\\_FinalOutcomeDocument.pdf](http://www.justicerapidresponse.org/Documents1/JRR_NY_NOV07_FinalOutcomeDocument.pdf).

discrimination; at the same time, notes with concern that, without new instruments to guarantee the implementation of the declaration in question, real improvements in the life of indigenous peoples, especially those living under authoritarian and dictatorial regimes, cannot be expected; urges the Commission, therefore, to follow up on the implementation of the declaration, in particular through the European Instrument for Democracy and Human Rights (EIDHR), while in particular enjoining all the Member States to ratify as a matter of urgency ILO Convention 169 on Indigenous and Tribal Peoples, which backs up the principles set out in the declaration in question with a legally binding instrument;

35. Calls once again on the Commission to develop a European framework strategy on Roma, given the special social situation of Roma communities in the European Union, in the candidate countries and in the countries involved in the Stabilisation and Association process in respect of the Western Balkans;
36. Urges the EU to play a key role at the Durban Review Conference in promoting a balanced text that will combat racism rather than seeking to delegitimise democratic States and to promote hatred, as was the case in Durban in 2001;
37. Notes with regret that, despite the fact that the Commission has recommended ratification of ILO Convention 169 on several occasions, at the present time, almost twenty years after its entry into force, only three Member States – Denmark, the Netherlands and Spain – have ratified it; encourages, therefore, initiatives to increase awareness of this important legislative instrument and enhance its effectiveness worldwide by ensuring that it is ratified by all the Member States;

***Performance as regards the European Union human rights guidelines***

38. Calls once again on the Commission and Member States' embassies and consulates to ensure that all their staff are fully aware of the human rights guidelines; considers that the creation of the new European External Action Service should be used proactively to harmonise the approaches of the missions of Member States and the Commission abroad in the area of human rights, by sharing structures and staff so as to create genuine 'European Union embassies';
39. Takes note of the German and Portuguese Presidencies' drive to finalise European Union human rights guidelines on the rights of the child; is looking forward to receiving within the next year drafts of the specific implementing measures that will concentrate on implementing the holistic and comprehensive approach which the core guidelines develop;
40. Calls on the Presidency to find ways to improve coordination and cooperation between the Council's working parties in relation to making demarches in areas of common concern, for example between the Working Party on Human Rights (COHOM) and the Working Party dealing with the ICC, as regards international criminal justice and children and armed conflict;
41. Urges the Council to update the guidelines in order to fully recognise the importance of enjoyment of the highest attainable standard of health as a fundamental right, with particular regard to pain management;

### *The death penalty*

42. Welcomes the above-mentioned 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;
43. Urges the Council to update the guidelines on the death penalty, in order to support all activities aimed at full implementation of the General Assembly resolution, which *inter alia* calls upon all States that still maintain the death penalty to respect international standards that provide safeguards guaranteeing the protection of the rights of those facing the death penalty, in particular the minimum standards set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984; points out that the resolution provides the Secretary-General with information relating to the use of capital punishment and observance of the safeguards guaranteeing the protection of the rights of those facing the death penalty and seeks to progressively restrict the use of the death penalty and reduce the number of offences for which it may be imposed; further points out that the resolution ends by calling on all United Nations Member States to establish a moratorium on executions with a view to abolishing the death penalty;
44. Calls on the Presidency to encourage Italy, Latvia, Poland and Spain, which have not yet ratified Protocol No 13 to the ECHR on the death penalty, to do so<sup>1</sup>; recognises, in that regard, that the guidelines on the death penalty could be implemented more coherently if Member States were to sign up to and ratify such protocols and conventions;
45. Welcomes the decision by the Justice and Home Affairs Council on 7 December 2007 to subscribe to the joint Council of Europe/European Union Declaration establishing a European Day against the Death Penalty, which will be celebrated on 10 October each year; welcomes the proceedings of the European Conference in Lisbon on 9 October 2007, calling once again for the eradication of the capital punishment in Europe and promoting the universal abolition of the death penalty;
46. Welcomes the abolition of the death penalty in Albania on 25 March 2007 (for all crimes); in Kyrgyzstan on 27 June 2007; in Rwanda on 26 July 2007; in the State of New Jersey (in the United States of America) on 13 December 2007; and in Uzbekistan on 1 January 2008; expresses its disquiet at the possibility that the death penalty might again start to be enforced in Guatemala; urges the Guatemalan Government, on the contrary, to genuinely commit itself to the universal moratorium on the death penalty; welcomes the decision by China to have all death penalty cases reviewed by the Supreme Court, but remains concerned that China still carries out the greatest number of executions worldwide; condemns the practising of the death penalty in Belarus, which runs counter to European values; condemns the Iranian regime's increasing use of capital punishment; is very concerned that the Iranian regime still sentences to death defendants under the age of 18;

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<sup>1</sup> As of 10 January 2008, Italy, Latvia, Poland and Spain had signed but not ratified Protocol No 13 to the ECHR, concerning the abolition of the death penalty in all circumstances.

*Torture and other cruel, inhumane or degrading treatment*

47. Notes that Greece, Hungary, Latvia, Lithuania and Slovakia have so far neither signed nor ratified the Optional Protocol to the Convention Against Torture (OPCAT); notes that Austria, Belgium, Cyprus, Finland, France, Germany, Italy, Luxembourg, the Netherlands, Portugal and Romania have so far signed but not ratified it; urges all European Union Member States which have not hitherto signed and/or ratified OPCAT to do so without delay;
48. Is concerned about the true commitment to human rights of European Union Member States that refuse to sign the above-mentioned International Convention for the Protection of All Persons from Enforced Disappearance; asks all European Union Member States that have not done so to sign and ratify it promptly<sup>1</sup>;
49. Refers the Council and the Commission to the recent study entitled 'The Implementation of the European Union Guidelines on torture and other cruel, inhuman or degrading treatment or punishment', presented to Parliament's Subcommittee on Human Rights on 28 June 2007 and to COHOM in December 2007; calls on both to follow its recommendations, e.g. the recommendation that a clear global vision be developed with a national focus examining the local political, social, cultural, and legal context; calls on the Commission and the Council – after analysis – to send instructions to its delegations and to Member States' missions with a view to helping them to implement the guidelines;
50. Calls on the Commission and the Council 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;
51. Looks forward to the assessment of the implementation of the European Union Guidelines on Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, which is being prepared for presentation to COHOM; in the context of the revision of those Guidelines, expects COHOM to discuss specific criteria for action concerning individual cases with a view to improving the implementation of the Guidelines; recommends the adoption of measures to ensure respect for the absolute prohibition of torture and other inhuman and degrading punishment and to resist any attempt to establish a European Union position legitimising the use of diplomatic assurances to facilitate the transfer of persons to a country where they may be at risk of torture or other inhuman or degrading punishment;
52. Calls for an update of the Guidelines on Torture and other Cruel, Inhuman and Degrading Treatment or Punishment in the light of Article 15 of the United Nations Convention on the Rights of Persons with Disabilities, which concerns freedom from torture or cruel, inhuman or degrading treatment or punishment;

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<sup>1</sup> Signatories (as of December 2007): Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Ireland, Italy, Lithuania, Luxembourg, Malta, Portugal, Slovakia, Slovenia, Spain, Sweden. (Only two countries – Albania and Argentina – have ratified the Convention, which requires 20 ratifications for entry into force.)

53. 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 substantial and useful material input into decision-making concerning demarches towards certain countries;
54. Urges the Council and the Commission to continue the practice of demarches in respect of all of the European Union's international partners as regards the ratification and implementation of international conventions banning the use of torture and ill-treatment, as well as the provision of rehabilitation assistance to torture survivors; calls on the European Union to regard the fight against torture and ill-treatment as a top priority of its human rights policy, in particular through enhanced implementation of the European Union guidelines and all other European Union instruments such as the EIDHR and by ensuring that Member States refrain from accepting diplomatic assurances from third countries where there is a real risk of people being subjected to torture or ill-treatment;

#### *Children and armed conflict*

55. Welcomes the report of the Special Representative of the United Nations Secretary-General for Children and Armed Conflict, published on 13 August 2007, concluding that Member States of the United Nations should apply concrete and targeted measures against recalcitrant violators;
56. Welcomes the report and recommendations of the UN Secretary-General on children and armed conflict in Burma; condemns the grave violations of children's rights in that country and calls on COHOM to prioritise Burma in the implementation of its guidelines on children and armed conflict;
57. Welcomes the progress made in the application of international child protection standards as regards holding alleged perpetrators to account, such as the charges brought by the ICC against senior leaders of various fighting factions in the Democratic Republic of the Congo and the charges brought against four senior members of the Lord's Resistance Army; regards as notable achievements the ruling by the Special Court for Sierra Leone that the recruitment or use of children aged under 15 in hostilities is a war crime under customary international law and its recent conviction of military commanders for recruiting children;
58. Welcomes the increased attention paid to children's rights in a wide range of negotiations, agreements, peace-building and peace-keeping efforts, agendas and treaties; emphasises, however, that clauses on children in peace agreements should be specific and that their goals should be achievable;
59. Welcomes the increased attention paid to children's rights in mechanisms for accountability for crimes under international law (recognising in this regard the efforts made by the Liberian Truth and Reconciliation Commission to that end in 2007) as an important means by which to give effect to the right of children to participate in decisions that affect their lives; emphasises, however, that the best interests of the child must guide any such involvement, including through the implementation of age-appropriate policies and procedures and the promotion of the

rehabilitation and reintegration of child victims;

60. Welcomes the progress made in policy formulation with regard to the Integrated Disarmament, Demobilisation and Reintegration Standards (2006), the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (2007); stresses, however, that effective implementation is now required;
61. Welcomes the fact that seven more nations (Argentina, Croatia, Guatemala, Laos, Mauritania, Morocco and Ukraine) have joined the international commitment to stop the recruitment of children in armed conflicts known as the Paris Commitments, and regrets that the USA has not signed because of its opposition to the clause concerning the ICC;
62. Welcomes the fact that 11 European Union Member States have signed the Geneva Declaration on Armed Violence and Development, thereby bringing the total number of States Parties to 42; urges the remaining 16 European Union Member States that have yet not signed the Geneva Declaration to do so without delay;
63. Calls on those Member States that have not done so to sign and ratify without delay the optional protocols to the Convention on the Rights of the Child<sup>1</sup>;
64. Recalls the absence of a final settlement of unresolved conflicts in the ENP countries; stresses that such situations create a context in which the rule of law and human rights violations in their areas are neglected, as well as representing a major impediment to ensuring and respecting all the rights of the child; calls for the specific situation of children and their families in the areas of unresolved conflicts in ENP countries to be addressed as a matter of priority in the context of the action taken by the EU in this field;
65. Notes that the Portuguese Presidency followed the German initiatives under the guidelines and instructed all missions in priority countries to regard the country-specific strategies adopted by COHOM on 15 June 2007 as standing instructions to be incorporated in the work of the Heads of Missions in the area of children in armed conflicts; welcomes the fact that the Presidency-in-office has also forwarded to local Presidencies the reports received by relevant NGOs regarding specific countries; welcomes the Slovenian Presidency's initiative in commissioning a study on the impact of EU measures on children affected by armed conflict; stresses in this connection the limited impact the guidelines have on children and armed conflicts, owing in particular to the fact that the majority of the Commission and Member State delegations were not informed that their host country was considered a priority country for the application of these guidelines;

### *Human rights defenders*

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<sup>1</sup> Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (as of November 2007): not ratified by the Czech Republic, Finland, Germany, Greece, Hungary, Ireland, Luxembourg, Malta, the United Kingdom.  
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (as of October 2007): not ratified by Estonia, Greece, Hungary, the Netherlands; neither ratified nor signed by Cyprus.

66. Calls on the Council and the Commission to engage in a more transparent and systematic implementation of the European Union Guidelines on Human Rights Defenders, given that this is an important and innovative instrument designed to support human rights defenders and protect those who are at risk;
67. Calls on the Commission and the Council to include in their humanitarian and trade policies efforts to combat forced child labour;
68. Expects that the identification of the Guidelines on Human Rights Defenders as a priority element of the European Union's human rights foreign policy will be matched by the effective implementation of those Guidelines in local strategies concerning 120 countries; urges the EU Member States to harmonise their positions on the protection of human rights defenders;
69. Considers that a consistent approach should also focus on strengthening capacity building among human rights activists, including those committed to defending economic, social and cultural rights, and fostering consultation and interaction mechanisms between them and their governments on issues of democratic reform and human rights promotion, in particular when processes of democratisation are at stake;
70. Calls on the Commission and the Council to actively encourage human rights defenders to disseminate information on non-violent theory and practice and seek to promote knowledge of and exchanges between them on best practice, based on first-hand experience in the field;
71. Asks the Council and the Member States to consider urgently the matter of emergency visas for human rights defenders by including a clear reference to the specific situation of human rights defenders in the new Common Code on Visas and thus creating a specific and accelerated visa procedure which could draw on the experience of the Irish and Spanish governments in this matter; considers that the confidentiality of European Union demarches in favour of human rights defenders is sometimes useful but asks that, despite this confidentiality, European Union local forces should always inform NGOs on the ground about such demarches in a confidential manner;
72. Notes that, despite significant economic reforms, systematic violations of political and human rights still persist in China, taking such forms as political imprisonment, attacks on, and intimidation of, lawyers, human rights defenders and journalists including the weiquan movement, the lack of an independent judiciary, forced labour, the suppression of freedom of expression and religion and of the rights of religious and ethnic minorities, arbitrary detentions, the Laogai camp system and alleged organ harvesting; remains equally concerned about the blacklisting of journalists and human rights activists, the Dalai Lama and his associates and Falun Gong practitioners;
73. Regrets the fact that only five human rights organisations remain registered in Belarus and that the authorities continually seek to intimidate and control those groups whilst repeatedly refusing applications by other human rights groups to register legally; welcomes the decision of the UN General Assembly in May 2007 to

reject Belarus' bid for a seat on the UNHRC, pointing to its poor human rights record; once again urges the Belarus authorities to stop using intimidation, harassment, targeted arrests and politically motivated prosecutions against human rights defenders and civil society activists in Belarus;

74. Is greatly concerned that in 2007 the Iranian authorities intensified their harassment of independent human rights defenders and lawyers in an attempt to prevent them from publicising and pursuing human rights violations; regrets the closure by the Iranian government of NGOs that encourage civil society participation and raise awareness of human rights violations, including those providing legal and social aid to women victims of violence;
75. Emphasises once again the importance of making the handbook for the implementation of the Guidelines available to human rights defenders on the ground; encourages COHOM to disseminate translations of the European Union Guidelines for Human Rights Defenders in European Union languages that are the lingua franca in third countries and in key non-European Union languages amongst regional desks and embassies/delegations; welcomes the fact that, so far, translations are available in languages such as Russian, Arabic, Chinese and Farsi but stresses that more translations need to be produced locally; urges European Union Member States to simplify the issue of visas to human rights defenders who are invited to attend events organised within the European Union or who are fleeing worsening security conditions;

*Guidelines on human rights dialogues and recognised consultations with third countries*

76. Calls on the Council and the Commission to initiate a comprehensive evaluation of the guidelines on human rights dialogues and to develop clear indicators for the impact of each dialogue and criteria for the initiation, cessation and resumption of dialogues;
77. Reiterates its call for human rights dialogues to be extended to include the situation both in third countries and in the European Union, so as to enhance the credibility of the dialogue in question;
78. Reiterates its call for human rights issues to be reviewed at the highest political level in order to give greater political weight to human rights concerns and for Member States or third countries to be prevented from isolating human rights issues from the political dialogue; considers that this dialogue should therefore never be used to confine the subject to experts' meetings and thereby relegate it to a secondary position in relation to other political issues; consequently, calls on the Council and the Commission to take the following measures:
  - to publicise the objectives set for each dialogue and monitor their implementation;
  - to require an evaluation to be carried out on each dialogue, preferably every year and at least every two years;
  - to ensure that each meeting within the dialogue entails, in addition to a strand of technical discussions for officials, a political strand directly involving those with

responsibilities at ministerial level;

79. Emphasises once again in this context the proposals set out in Parliament's above-mentioned resolution of 6 September 2007 on the functioning of the human rights dialogues and consultations on human rights with third countries; stresses in this connection that a dialogue between the Council, the Commission and Parliament's Subcommittee on Human Rights was launched in January 2008 with a view to implementing the recommendations of that resolution as regards Parliament's involvement in dialogues in general; recalls, in that connection, the Council's obligation to consult Parliament and to take its views into consideration pursuant to Article 21 of the Treaty on European Union;
80. Emphasises the need for a radical intensification of the European Union-China human rights dialogue, and is concerned that China provided replies only to two thirds of the points raised by the EU in individual cases of concern as part of this dialogue; expresses its disquiet at the serious human rights violations in China and stresses that, despite promises made by the 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 accordance with the Olympic Charter, welcomes the fact that China is working to implement the recommendations of the Special Rapporteur on Torture and has recently directed courts not to rely on confessions; notes that, despite repeated assurances by the Chinese government of its intention to ratify the International Covenant on Civil and Political Rights, ratification is still pending; regrets that no common European Union-China declaration on human rights was adopted at the European Union-China Summit held on 28 November 2007 in Beijing, despite the fact that the intention to issue such a declaration had been announced originally; calls on the Council to provide a more detailed briefing to Parliament following discussions, including a detailed list of demarches conducted in individual cases by the Council and Member States; notes that these concerns should be emphasised in the run-up to the Beijing Olympic Games, which constitute an important historic opportunity for the improvement of human rights in China; in this regard, remains concerned about Chinese legislation, including the State Secrets system, preventing the transparency necessary for the development of good governance and a system in which the rule of law prevails; is concerned about the limits placed on the freedom of the Chinese and international media, including the internet, blogging and access to information for the Chinese and international press; remains equally concerned about the blacklisting of journalists and human rights activists, including the Dalai Lama, his associates and Falun Gong practitioners; calls in this regard for the immediate release of the prominent AIDS activist Hu Jia; emphasises the need to continue, even after the Olympic Games, carefully to monitor the human rights situation and the changes in the legislation concerning this issue; urges the European Union to ensure that its trading relationship with China is contingent on human rights reforms, and calls in this regard on the Council to make a comprehensive evaluation of the human rights situation before finalising any new Partnership and Cooperation Framework Agreement; calls on the Council and the Commission to raise the issues of the Inner Mongolia Autonomous Region, Eastern Turkestan and the Tibet Autonomous Region, to actively support the strengthening of a transparent dialogue between the Chinese Government and envoys of the Tibetan Government in Exile and to mainstream the issue of human rights

implications of Chinese policies in Africa; remains alarmed by the systematic violation of the human rights of ethnic Uyghurs in the Xinjiang Uighur Autonomous Region;

81. Remains concerned that the human rights dialogue with Iran has been interrupted since 2004 due to the absence of any positive progress in improving human rights situation and a lack of cooperation from Iran; calls on the Iranian authorities, to resume this dialogue with a view to supporting all civil society stakeholders who are committed to democracy, and to strengthen – through peaceful and non-violent means – existing processes that can foster democratic, institutional and constitutional reforms, ensure the sustainability of those reforms and consolidate the involvement of all Iranian human rights defenders and civil society representatives in policy-making processes, reinforcing the role played by them in the general political discourse; is deeply concerned that respect for fundamental human rights in Iran, especially freedom of expression and assembly, continued to deteriorate in 2007; condemns the new morality campaign launched by the Iranian authorities since early April 2007, whereby thousands of men and women were arrested in moves to 'counter immoral behaviour'; condemns the Iranian regime's increasing use of capital punishment;
82. Regrets the lack of results from the European Union-Russia consultations on human rights and calls for Parliament to be involved in such a process; encourages the efforts made by the Council and the Commission to bring about a state of affairs whereby the consultations take place alternately in Russia and in the European Union, whereby Russian Ministries other than the Ministry of Foreign Affairs also participate in the consultations, and whereby the Russian delegation participates in the meetings of Russian and European parliamentary bodies or NGOs organised in conjunction with the consultations; regrets that the European Union has not succeeded in bringing about policy change in Russia, particularly with regard to sensitive issues such as the situation in Chechnya and other Caucasian Republics, impunity and the independence of the judiciary, the treatment of human rights defenders and political prisoners including Mikhail Khodorkovsky, the independence of the media and freedom of expression, the treatment of ethnic and religious minorities, respect for the rule of law and human rights protection in the armed forces, discrimination based on sexual orientation as well as other issues; believes that the long-standing debate on Chechnya should be extended to cover the worrying situations in Ingushetia and Dagestan; calls on the Russian authorities to protect the national minorities in the Republic of Mari-El and to ensure respect for human and minority rights in accordance with the Constitution of Mari-El and European standards; deplores the continued persecution of journalists, human rights defenders, political prisoners and NGOs, for instance the recent harassment of Novaya Gazeta and of the Nizhny Novgorod Foundation to Promote Tolerance; is concerned that in 2007, following its entry into force in 2006, the new Russian legislation on NGOs has proved to be open to arbitrary and selective implementation and has been used to impede, restrict and punish legitimate NGO activities, thereby contributing to growing insecurity and vulnerability of NGOs; expresses further concern, in line with the Amnesty International Report of December 2007, as to the ongoing failure of the Office of the Prosecutor to respect the right of Mikhail Khodorkovsky and his associate Platon Lebedev to a fair trial in accordance with international standards, and distress at the refusal to provide life-saving medical treatment for Vasily Alexanyan, ex-Vice-President of Yukos, despite

being repeatedly called upon by the European Court of Human Rights and the President of the Parliamentary Assembly of the Council of Europe to provide the same; urges Russia to take further measures to protect freedom of expression and the security of journalists and human rights defenders; considers, in this regard, that Russian cooperation with OSCE, Council of Europe and United Nations human rights mechanisms as well as the ratification of all relevant human rights conventions should be regarded as a priority by the European Union, most notably the ratification of Protocol No 14 to the ECHR, amending the control system of the Convention; deplores Russia's unwillingness to invite international election observers in suitable numbers and sufficiently in advance to allow them to properly supervise the elections in accordance with OSCE standards, thereby making it impossible for the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) to undertake its planned election observation mission in accordance with its mandate, and is therefore compelled to question the democratic credentials of the 2007 parliamentary and the 2008 presidential elections; urges the Commission and the Council to raise human rights issues, including individual cases, with Russian authorities at the highest level and in the new Partnership and Cooperation Agreement with Russia; urges the Commission to lay down clearer obligations and establish more efficient monitoring mechanisms, in addition to the human rights clause, in order to achieve a real improvement in the human rights situation;

83. Urges the Commission and the Council to set up human rights subcommittees with all neighbourhood countries; reiterates its call for parliamentarians to be associated with the preparations for meetings of such subcommittees and to be informed of their outcome; is of the view that, while first rounds of meetings, as was the case with Tunisia, might focus on establishing the durability of the subcommittee and fostering trust and confidence among partners, such subcommittees, notably with Morocco now, should move towards a result-oriented phase, with the establishment of concrete benchmarks and indicators of progress, as well as the possibility of raising individual cases; stresses that discussions on human rights should certainly not be confined to these subcommittees, and highlights the need to include these issues in the political dialogue up to the highest level so as to increase the coherence of the EU's policy in this field and reduce discrepancies in statements on the human rights situation given by both sides to the press; welcomes the Council's statement of 16 October 2007 that discussions concerning a future EU-Libya framework agreement will specifically address, *inter alia*, cooperation and progress on human rights;
84. Recalls the deteriorating situation in Syria, where the regime's authorities refuses to accord official status to human rights groups and where human rights groups are harassed by the security services and their members are imprisoned for lack of legal status; condemns the arrests of dissenters and people from opposition parties, and urges the Council and the Commission to call on the Syrian government to free the journalists, human rights activists and independent lawyers thus detained and to lift the state of emergency;
85. Condemns the measures taken against the opposition by the Belarusian authorities; notes that these measures are increasingly taking the form of systematic attempts to humiliate and ill-treat members of the opposition; as an example, points to the recent arrest of Sakharov Prize winner Alexander Milinkiewicz; notes that the European

Union has had no success in improving the situation with regard to human rights reforms in Belarus;

86. Expresses its deep disquiet at the catastrophic humanitarian crisis in the Gaza Strip; calls on all parties concerned to adhere to the Universal Declaration of Human Rights; reaffirms the content of its resolution of 21 February 2008 on the situation in the Gaza Strip<sup>1</sup>;
87. Recognises attempts by the Commission and the Council to organise a second round of the European Union-Uzbekistan dialogue on human rights in May 2008 and commends the Commission on its efforts to organise a civil society seminar on media expression in the margins of the dialogue, possibly in Tashkent; points out once again that the holding of a dialogue on human rights and experts' meetings on the 2005 Andijan massacre do not in themselves constitute progress and cannot be used as a reason for the lifting of sanctions; notes that the absence of an independent international inquiry into the Andijan massacre and the lack of any improvement in the human rights situation in Uzbekistan – these being the conditions laid down by the European Union for the lifting of sanctions – have logically led to the sanctions against Uzbekistan being extended; welcomes the fact that the conclusions of the General Affairs and External Relations Council of 15-16 October 2007 have introduced specific conditions which have to be met within a period of six months in order for the visa restriction suspension to be maintained ; invites the Commission and the Council to carry out a serious assessment of the impact of the decision to suspend for six months some of the visa restrictions that form part of the European Union sanctions against Uzbekistan, and to review the overall human rights situation in the country; deplores the fact that Uzbekistan has so far failed to deliver any progress in any of these respects; pays tribute to the work done by its Subcommittee on Human Rights in closely monitoring the human rights situation every six months so as to provide the Council with regular parliamentary assessments and recommendations as regards the EU policy to be adopted in this matter; is appalled by the presidential election held on 23 December 2007 in Uzbekistan, which according to the ODIHR was 'held in a strictly controlled political environment, leaving no room for real opposition, and ... generally failed to meet many OSCE commitments for democratic elections'; condemns the murders of Mark Weil, founder and art director of the independent Ilkhom Theatre, in Tashkent on 9 September 2007, and of the journalist and critic of the Uzbek regime Alisher Saipov in the Kyrgyz city of Osh on 24 October 2007; reiterates its call for the immediate release of political prisoners<sup>2</sup>;
88. Supports the willingness of the Council to establish human rights dialogues with each of the remaining four Central Asian countries; calls for the dialogues to be results-oriented and fully in line with the European Union Guidelines on Human Rights Dialogues with Third Countries, guaranteeing the involvement of civil society and of the European Parliament; calls for the establishment of the dialogues to be

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<sup>1</sup> Texts adopted, P6\_TA(2008)0064.

<sup>2</sup> In particular Mutabar Tadjibaeva, chair of the human rights organisation Plammenoe Serdtse, and of the 12 human rights defenders: Saidjahon Zainabitdinov, Nosim Isakov, Norboi Kholjigitov, Abdusattor Irzaev, Habibulla Okpulatov, Azam Formonov, Alisher Karamatov, Mamarajab Nazarov, Dilmurad Mukhiddinov, Rasul Khudainasarov, Bobumurod Mavlanov and Ulugbek Kattabekov.

matched by adequate resources within the Council and Commission secretariats;

89. Notes the importance of both Turkey's and the EU's commitment to Turkey's accession process for the ongoing human rights reforms in Turkey;
90. Hopes that those responsible for the assassination of Benazir Bhutto are identified and held responsible as soon as possible; notes the worsening human rights situation in Pakistan throughout 2007, including in particular the threats to the independence of the judiciary and the freedom of the media; with that in mind, condemns the defamation campaign against Iftikhar Mohammad Choudhry, former Chief Justice of Pakistan, as well as the fact that he has been removed from office and placed under house arrest; calls on the Council and Commission to support the movement for democracy started by the judiciary and bar, particularly by extending invitations to some of their representatives, including Mr Choudhry; calls for the reinstatement of all deposed judges; notes the adoption of a new Country Strategy Paper for Pakistan and welcomes the mainstreaming of conflict prevention and human rights throughout that document; notes that the first meeting of the European Community-Pakistan Joint Commission was held in Islamabad on 24 May 2007 and stresses the need for human rights to be at the forefront of the agenda for all subsequent meetings;

#### ***Female genital mutilation and other harmful traditional practices***

91. Emphasises that efforts to eliminate all forms of female genital mutilation should be intensified both at the grass-roots level and within the policy-making process, so as to highlight the fact that such mutilation is both a gender issue and a human rights violation relating to physical integrity;
92. Insists that women's rights be explicitly addressed in all human rights dialogues, and in particular the combating and elimination of all forms of discrimination and violence against women and girls, including, most prominently, gender-selected abortion, all forms of harmful traditional or customary practices, for example female genital mutilation and early or forced marriage, all forms of trafficking in human beings, domestic violence and femicide, exploitation at work and economic exploitation, and that the invocation by States of any custom, tradition, or religious consideration of any kind, in order to evade their duty to eliminate such brutality, be rejected;
93. 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 European Union within the framework of the Cotonou Agreement (now under the European Partnership Agreements), and to put pressure on them to adopt the necessary legislative, administrative, judicial and preventive measures to put an end to these practices;
94. Recalls the Millennium Development Goals, and stresses that access to education and health are basic human rights; believes that health programmes, including sexual and reproductive health, promotion of gender equality, empowerment of women and rights of the child should be prominent in the EU's development and human rights policy, in particular where gender-based violence is pervasive and women and

children are put at risk of HIV/AIDS, or denied access to information, prevention and/or treatment; calls on the Commission to integrate core labour rights and the decent work agenda in its development policy, in particular in trade-related assistance programmes;

95. Calls on the Council, the Commission and Member States to promote in particular the ratification and implementation by African Union Member States of the African Union Protocol on the Rights of Women in Africa;
96. Calls on the Council, the Commission and Member States to enhance the EIDHR and to ensure the allocation of funds for activities addressing the elimination of all forms of female genital mutilation;

***General scrutiny of Council and Commission activities including the performances of the two Presidencies***

97. Deplores the ongoing violations of human rights and democracy by the military junta in Burma and supports the European Union's commitment to attaining its stated objectives, namely an inclusive and genuine 'tripartite dialogue' between the military regime, the democratic opposition (namely the National League for Democracy, which won the 1990 elections) and the ethnic nationalities with a view to securing the national reconciliation which is needed for a transition to democracy in Burma and the establishment of a legitimate, democratic civilian government which respects the human rights of its people and restores normal relations with the international community; welcomes the Council's adoption in November 2007 of a common position renewing existing restrictive measures and introducing additional restrictive measures, but regrets the exclusion from those measures of crucial sectors such as energy and financial and banking sanctions against the military regime; considers in this connection that the adoption of restrictive measures should be accompanied as a matter of course by firm support for civil society, which has not been the case in Burma; condemns the brutal response of the Burmese authorities to the demonstrations by the Buddhist monks and all other peaceful demonstrators; deplores the ongoing arrests and detention of democratic activists and journalists, and calls on the Council to continue to highlight the human rights situation in Burma as a top priority on the UN Human Rights Council and to keep up pressure for a second visit to the country by Mr Tomas Ojea Quintana, the UN Special Rapporteur on Human Rights in Burma, to further assess human rights violations; welcomes the appointment of Piero Fassino as European Union Special Envoy for Burma and asks the Commission to actively support the Burmese pro-democracy movement in the framework of the EIDHR; condemns the assassination on 14 February 2008 of Padoh Mahn Sha, the General Secretary of the Karen National Union (KNU), who was murdered in his home in Thailand; asks that an investigation take place into the circumstances of this assassination, and that the EU express outrage to the military regime and urge for better protection for exiled democracy leaders from Burma living in Thailand; is concerned that Burmese refugees in Malaysia are extremely vulnerable and are at risk of arrest, detention, caning and deportation by the Malaysian authorities; urges the Council to call on the Malaysian authorities to cease their brutal treatment of refugees, to encourage the UNHCR to register all refugees in order to provide greater protection and to urge more countries to agree to accept Burmese refugees from Malaysia for

resettlement;

98. Calls on the Council Presidency to focus on countries of particular concern as regards human rights; in particular, encourages the Council to fully implement the European Union Guidelines on Human Rights Defenders and to allocate additional resources for projects under the EIDHR, in particular for promoting democracy in Belarus, Burma, Cuba, Eritrea, Laos, North Korea, Uzbekistan, Vietnam and Zimbabwe; considers that the conception and implementation of those projects should not be conditional on the consent or cooperation of the respective regimes;
99. Welcomes the holding of the European Union's first Anti-Trafficking Day on 18 October 2007, designed to raise awareness of human trafficking and stress the European Union's long-standing commitment to its eradication;
100. Welcomes the European Union NGO Human Rights Forum organised by the Portuguese Presidency and the Commission and held in Lisbon in December 2007 on the topic of economic, social and cultural rights; endorses the recommendations of the Forum, which reaffirmed the indivisibility and universality of human rights and succeeded in linking the external and internal aspects of European Union policies; encourages the Council and the Commission, therefore, to strengthen the current Sustainability Impact Assessment carried out by the Commission's DG Trade through an adequate human rights impact assessment;
101. Welcomes the fourth meeting of the European Union Network of Contact Points in respect of persons responsible for genocide, war crimes and crimes against humanity, which took place in The Hague on 7 and 8 May 2007; takes note of the work of that meeting, which was entirely devoted to Rwanda and investigations of Rwandan suspects by European states; regrets the failure to organise a fifth meeting of the Network under the Portuguese Presidency; reminds the Council of the commitment to organise such a meeting under each Presidency;
102. Calls on the Council Presidency to address the lack of action by the European Union in Darfur; welcomes the African Union/United Nations Hybrid operation in Darfur (UNAMID), unanimously approved on 31 July 2007 by United Nations Security Council Resolution 1769 (2007) as a small step in the right direction; notes that UNAMID took over from the African Union Mission in Sudan (AMIS) on 31 December 2007, and has an initial mandate expiring on 31 July 2008; expects that the 7 000-strong AMIS, which has hitherto been responsible for peacekeeping, will merge into this new force and that all necessary measures to ensure the ability of UNAMID to fulfil its mandate will be undertaken, including periodic review of the number of peacekeepers deployed; insists, none the less, that the arrest warrants issued by the ICC in relation to Darfur must be executed as soon as possible; notes that the inadequacy of the measures to combat the humanitarian disaster in Darfur was one of the reasons behind the worsening of the political and social situation in Chad; calls for immediate measures to be taken to provide greater assistance for that country;
103. Expresses its concern at the rebel offensive in N'Djamena in Chad at the beginning of February 2008; highlights the importance of EU involvement in increasing diplomatic pressure for a ceasefire in Chad to protect beleaguered civilians and in

supporting discussions aimed at peace and national reconciliation in that country; condemns the crackdown on political opponents in the capital N'Djamena by the Chadian government after February's coup attempt; urges the Council to do its utmost to ensure freedom of the political opposition in Chad; underscores the gravity of the crisis concerning refugees and internally displaced persons (IDPs) in eastern Chad, where over 400 000 refugees and IDPs are being hosted in 12 camps along Chad's eastern border; welcomes the establishment of the EU peace-keeping mission EUFOR TCHAD/RCA and its vital objective of protecting refugees, IDPs and humanitarian personnel in this crisis region;

104. Welcomes the fact that work has begun in the United Nations on achieving a uniform standard of conduct for all categories of personnel involved in peacekeeping missions; notes that the Task Force Plan of Action outlines the requirement that a set of six core principles be incorporated into all codes of conduct of the Inter-Agency Standing Committee, including a principle prohibiting sexual activity with persons under the age of 18, regardless of the age of majority or age of consent applying locally; welcomes the fact that this code of conduct now applies to all United Nations peacekeeping and humanitarian personnel; welcomes the creation of personal conduct units within the United Nations Missions in Burundi, Cote d'Ivoire, the Democratic Republic of the Congo and Haiti to investigate allegations and to assist victims; expects full implementation of the code of conduct in all United Nations Missions, including where appropriate the enforcement of criminal sanctions against those personnel proved to have raped or sexually exploited children;
105. Welcomes the fact that the Council establishes and regularly updates lists of focus countries in respect of which additional concerted efforts are made with a view to implementation of the European Union Guidelines on children and armed conflicts, on the death penalty (so-called 'countries on the cusp') and on human rights defenders; notes that a similar practice is also envisaged under the Implementation Strategy of the new European Union Guidelines on the promotion and protection of the rights of the child; encourages the Commission and the Council to extend this good practice, which allows the European Union *inter alia* to react in a more effective manner through demarches, statements and other forms of action, to the European Union Guidelines on torture; encourages the Council and the Commission to involve United Nations Special Mechanisms and to take into account recommendations and urgency resolutions of the European Parliament when identifying focus countries;
106. Reiterates its request that all human rights and democracy discussions with third countries, instruments, documents and reports, including the Annual Reports, explicitly address discrimination issues including the issues of ethnic, national and linguistic minorities, religious freedoms including intolerance against any religion and discriminatory practices towards minority religions, caste-based discrimination, the protection and promotion of the rights of indigenous peoples, the human rights of women, the rights of children, the rights of indigenous peoples, disabled people including people with intellectual disabilities, and people of all sexual orientations, fully involving their organisations, both within the European Union and in third countries, where appropriate;

## *The Commission's external assistance programmes*

### *The European Instrument for Democracy and Human Rights (EIDHR)*

107. Expresses concern about the apparent rigging of the presidential poll in Kenya in December 2007 followed by the violence in that country, and calls for human rights to be guaranteed, including the right of free expression, the right of assembly and the right of association, as well as free and fair elections;
108. Welcomes the adoption of the EIDHR as a financial instrument for external aid specifically promoting human rights and democracy, and the fact that Parliament's priorities have been taken into consideration in the 2007 and 2008 programming documents;
109. Calls for complete transparency regarding the ways in which money is spent and projects are chosen and assessed under the EIDHR; calls for publication on the internet of all chosen projects, whenever compatible with the protection of the recipient;
110. Welcomes the launching, under the EIDHR, of a new project making it possible to take urgent action for the protection of human rights defenders; calls on the Commission to implement this new project rapidly and effectively;
111. 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;
112. Calls on the Commission to adjust the level of staffing allocated for the implementation of the EIDHR, both at headquarters and in the delegations, to take account of the peculiarities and problems of this new instrument, so as to make the necessary resources and expertise available taking into account the very sensitive nature of the projects it supports, the need to protect the civil society actors who carry out those projects and the importance of the political objective it represents;
113. Calls for specific human rights and democracy training to be given to EU delegation staff in third countries, up to the highest level, particularly in view of the projects carried out under the guidelines and the urgent need to support the defenders of human rights; also calls for the biennial training of delegation heads to include a human rights component, in the light of the delegations' new duties in this area;
114. Calls on the Commission to ensure coherence between the Union's political priorities and the projects and programmes it supports, particularly in connection with its bilateral programming with third countries; further calls for coherence to be guaranteed between the programmes and the thematic instruments, and for these instruments to be strengthened since they are the only means of enabling the Union to carry out projects in third countries without the backing of the authorities of the countries concerned;
115. Notes that EIDHR funds committed for European Union election observation

missions in 2007 amounted to 23% of the total EIDHR funds used (EUR 30.1 million) and that 11 such missions were conducted;

116. Notes that a large proportion (around 50%) of the total EIDHR funding for projects contracted in 2007 went to big thematic projects and only a small proportion (24%) to country-based support schemes (equivalent to micro-projects); notes also that only a small part of the funds were destined for Asia and suggests that the geographical balance be rethought;
117. Notes that care must be taken in funding international organisations whose funding is provided through assessed contributions of Member States, such as the ICC, since funding provided to such organisations is tantamount to subsidising States Parties, who are under an obligation to provide such funding to those organisations, and places other projects and institutions that rely on EIDHR funding at risk, such as NGO projects and the legacy programme and outreach work of the Special Court for Sierra Leone;

### *Electoral assistance and election observation*

118. Notes with satisfaction that the EU makes increasing use of electoral assistance and election observation to promote democracy in third countries, and that the quality and independence of these missions are widely recognised;
119. Urges increased vigilance with regard to the criteria for selection of the countries in which electoral assistance/election observation takes place and to compliance with the methodology and rules set up at international level, particularly concerning the independent nature of the mission;
120. Considers that, at this stage, in view of past experience, electoral assistance and election observation should be incorporated into a continuous process including a pre-electoral stage of support for the establishment of democracy and human rights, and most importantly a post-electoral stage to support and evaluate the democratic process with a view to strengthening the rule of law, consolidating democratic institutions, political pluralism, the independence of the judiciary and the role of civil society;
121. Recalls that the need for a post-electoral policy features in the legal basis of the EIDHR;
122. Calls for the electoral process, including both pre- and post-electoral stages, to be incorporated into the different levels of political dialogue with the third countries concerned with a view to ensuring the coherence of EU policies and reaffirming the crucial role of human rights and democracy;
123. Further reminds the Commission and the Council that democracy and human rights strategies need to be devised for each country, as some Member States have already started to do, since these are essential means for ensuring the coherence of the policies pursued, including during electoral processes;
124. Calls on the Committee on Foreign Affairs to take stock, before the mid-term review,

of the implementation of the various components of the EIDHR;

***Implementation of human rights and democracy clauses in external agreements***

125. 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;
126. Emphasises once again in this context the proposals set out in Parliament's above-mentioned resolution of 14 February 2006 on human rights and democracy clauses in European Union agreements; stresses in particular the need to include such clauses in all EU agreements, including sector-specific agreements;
127. Calls on the Council and the Commission to take advantage of the present context of expiry of Partnership and Cooperation Agreements with several neighbourhood countries and Russia, and of the negotiation of new agreements, in order to mainstream human rights and effective dialogue concerning them in the future agreements, including through a follow-up mechanism;
128. Reiterates its call for the human rights clauses to be implemented through a more transparent procedure of consultation between the parties, detailing the political and legal mechanisms to be used in the event of a request for bilateral cooperation being suspended on the grounds of repeated and/or systematic human rights violations in breach of international law; considers that such clauses should also include details of a mechanism to allow for the temporary suspension of a cooperation agreement as well as a 'warning mechanism';
129. Notes that the European Union did not in 2007 conclude any new agreements containing human rights clauses;
130. Welcomes the fact that the Commission and the Council suspended Belarus' trading preferences in June 2007 under the Generalized System of Preferences (GSP) in consequence of the failure of the government of Belarus to implement any of the recommendations presented by the International Labour Organization (ILO) in 2004;
131. Believes that ensuring effective democracy and human rights protection at the external borders of the EU should constitute a top priority of the EU's efforts to mainstream human rights; calls on the Commission and the Council to further consolidate their mainstreaming efforts within the ENP, the strategic partnership with Russia and relations with Turkey and the countries of the Western Balkans, and also, to that end, to make full use of the existing regional frameworks of cooperation in those regions; reiterates the particular need to address human rights violations in the areas of unresolved conflicts in the countries in question, which considerably hamper consolidation of the rule of law and democracy at the current external borders of the EU;

***Mainstreaming of human rights***

132. Calls on the Commission to continue to monitor closely the granting of 'Generalized

System of Preferences plus' benefits to countries which have shown serious flaws in the implementation of the eight ILO conventions relating to core labour standards, on account of breaches of civil and political rights or the use of prison labour; asks the Commission to develop criteria determining when the GSP should be withdrawn on human rights grounds;

133. Recalls the Declaration on the Right to Development, adopted by United Nations General Assembly resolution 41/128 of 4 December 1986, which recognises that the right to development is an inalienable human right and that States have the primary responsibility for the creation of conditions favourable to the realisation of the right to development, and must take steps to formulate international development policies with a view to facilitating the full realisation of that right; calls for measures to ensure that international development programmes designed to address this responsibility of States are inclusive of and accessible to persons with disabilities, in accordance with Article 32 of the United Nations Convention on the Rights of Persons with Disabilities, signed by the European Communities on 30 March 2007;
134. Reminds the Council of its commitment to mainstream human rights across the CFSP and other EU policies, as outlined in its paper endorsed by the Political and Security Committee on 7 June 2006; calls for further progress with the implementation of the recommendations contained in that paper; reminds the Council in particular of the obligations incumbent on geographical working parties to identify key human rights issues, priorities and strategies as part of their overall planning, and to establish a more systematic exchange with international NGOs and human rights defenders;
135. Recalls that the European Union general budget for 2008 provides for appropriations that cover disability to be checked to ensure that, as Community aid, they comply with Article 32 of the United Nations Convention on the Rights of Persons with Disabilities, and calls for these provisions of the budget to be rigorously implemented and followed up;
136. Calls on the Council to do its utmost to implement the fundamental right to health as regards the treatment of pain and access to opioid analgesics, noting that the International Narcotics Control Board has asked the international community to promote the prescription of painkillers, on condition of stringent control by recognised international and national supervision agents, such as national governments and United Nations specialised agencies, especially in poor countries, as severe under-treatment is reported in more than 150 countries; calls on the Commission and the Council to work towards WHO membership being opened up to all States, as set out in Article 3 of its Constitution, thus enhancing the effectiveness and universality of WHO programmes;
137. Condemns unconditionally all forms of exploitation of children, whether in the form of sexual exploitation, including child pornography and child sex tourism, or compulsory labour, together with all forms of human trafficking; asks the Commission and Member States to recognise as a serious social and human rights issue, and take measures to solve, the problems of thousands of street children and children forced to beg, and calls on Member States to introduce sanctions against

those responsible for the debasement of children forced to beg;

138. Urges the Commission to continue to promote corporate social responsibility among European and local companies; asks the Council to report back to Parliament on any feedback from the United Nations Special Representative on Business and Human Rights which clarifies standards of corporate responsibility and accountability for trans-national corporations and other business enterprises with regard to human rights;
139. Recognises that immigration policy has become a priority on the EU's internal and external policy agenda and that in its texts the EU has been attempting to link immigration and development and to ensure that the fundamental rights of immigrants are respected; maintains, however, that the reality on the ground belies those texts; stresses that agreements for the readmission of illegal immigrants must be concluded with countries having the legal and institutional machinery needed in order to handle the readmission of their nationals and protect their rights;
140. Calls on the Council to ensure that the rights of refugees, asylum seekers and migrants are fully respected in practice when enhancing cooperation with third countries on immigration and asylum; emphasises that, in particular, the mechanism of the ENP should be used to monitor human rights performance in this field; calls on the Council and the Commission to make sure that, in the context of cooperation policies relating to action against illegal immigration, the utmost is done to ensure that police and judicial bodies in third countries respect human rights, and calls on the Council and the Commission to ensure that no support is given to police and judicial bodies in countries which commit serious and systematic violations of human rights and/or do not report on the way in which the relevant funds are used;
141. Calls on the Commission and the Council to take European Union initiatives at international level to fight persecution and discrimination based on sexual orientation and gender identity, e.g. by promoting a resolution on this issue at United Nations level and granting support to NGOs and actors who promote equality and non-discrimination; condemns the fact that many countries have criminalised homosexual behaviour, that Iran, Saudi Arabia, Yemen, Sudan, Mauritania, the United Arab Emirates and parts of Nigeria impose the death penalty for homosexual activities, that 77 countries have laws that allow state authorities to prosecute, and possibly impose a prison sentence on, people for same-sex acts and that several countries, such as Pakistan, Bangladesh, Uganda, Kenya, Tanzania, Zambia, Malawi, Niger, Burkina Faso, Sierra Leone, Malaysia and India (where the relevant provisions of the Penal Code are currently under judicial review) have laws providing for the imposition of terms of imprisonment lasting from 10 years to life; fully supports the Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity; urges Member States to grant asylum to persons who risk persecution in their countries of origin because of their sexual orientation and gender identity;
142. Calls on the Commission and the Council to ensure, with a view to the planned 2009 ministerial meeting of the United Nations Office on Drugs and Crime, that the funding supplied to international agencies such as those of the United Nations to

combat illegal drugs are never used either directly or indirectly to support security bodies in countries which commit serious and systematic violations of human rights or apply the death penalty in drugs-related cases; calls also for a document to be prepared, setting out in a comprehensive and detailed manner the best practices implemented by all European Union Member States on human rights and drug policies on the occasion of the forthcoming session of the United Nations Commission on Narcotic Drugs;

143. Reiterates the importance of European Union internal policy promoting adherence to international human rights law and the need for Member States to legislate in a way consistent with, *inter alia*, the obligations arising out of the Geneva Conventions and the Additional Protocols thereto, the Convention against Torture, the Genocide Convention and the Rome Statute of the ICC; welcomes the progress made in the application of universal jurisdiction in some Member States; in pursuit of greater coherence of internal and external policies, encourages the Council, the Commission and the Member States to incorporate the fight against impunity for serious international crimes in the development of a common European Union area of freedom, security and justice;
144. Reiterates its concern regarding restrictions on internet content, whether they apply to the dissemination or to the receipt of information, that are imposed by governments and are not in strict conformity with the guarantee of freedom of expression; in this respect, requests the Council and the Commission to draw up Community rules on trade with third countries concerning goods, including software, hardware and other similar items, the sole purpose of which is to conduct general surveillance activities and to restrict access to the internet in a manner inconsistent with freedom of expression, and the import and export of such goods, with the exception of goods the sole purpose of which is the protection of children; considers that the same should apply as regards surveillance and/or military technology destined for countries which are systematic violators of human rights; calls also for concrete solutions to be found in order to prevent European businesses from providing those countries with personal data that may be used to violate such rights, particularly freedom of expression;

#### ***Effectiveness of the European Parliament's interventions in human rights cases***

145. Asks the Council to participate in debates on urgency resolutions and calls for the Subcommittee on Human Rights to be given a more constructive role in the development of consistent and transparent criteria for the selection of urgency topics;
146. Recommends that resolutions and other key documents relating to human rights issues be translated into the language spoken in the targeted areas, particularly into languages the use of which is not recognised by government authorities responsible for human rights violations;
147. 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; considers that Parliament should facilitate the establishment of a network of Sakharov Prize laureates, with regular meetings being held in Parliament;

148. Reminds Parliament's delegations that they should systematically include in the agenda of their visits to third countries an inter-parliamentary debate on the human rights situation;
149. 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, and the report of that Committee resulting in the resolution in that regard adopted by Parliament on 14 February 2007<sup>1</sup>; requests the European Union and Member States to work together at all levels to expose and denounce the practice of extraordinary rendition now and in the future; calls, in this respect, on Commissioner Frattini to report back to Parliament on the answers to its letter of 23 July 2007 to the Polish and Romanian Governments requesting detailed information about the outcome of the inquiries which took place in both countries and on the results of the questionnaire sent to all EU Member States on their respective counter-terrorism legislation, as announced in plenary in September 2007;
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150. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the candidate countries, the United Nations, the Council of Europe, the Organization for Security and Co-operation in Europe and the governments of the countries mentioned in this resolution.

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<sup>1</sup> OJ C 287 E, 29.11.2007, p. 309.

**A) INDIVIDUAL CASES RAISED BY THE EUROPEAN PARLIAMENT  
BETWEEN JANUARY AND DECEMBER 2007**

**THE SAKHAROV PRIZE 2007**

The Winner of the SAKHAROV  
PRIZE 2007:

**Salih Mahmoud OSMAN**

**SHORTLISTED  
NOMINEES**

**BACKGROUND**

**Mrs Zeng JINYAN**

**Mr Hu JIA**

Chinese human rights defenders. He is an AIDS and environmental activist. She is a cyber-dissident reporting daily on her blog examples of human rights abuses in China. He has been under house arrest and is currently detained. A letter of concern was sent.

**Salih Mahmoud OSMAN**

Human rights attorney working with the Sudan Organization against torture, providing free legal representation for many victims of Sudan's civil war and human rights abuses.

**Anna POLITKOVSKAYA**

Russian journalist and human rights activist known for her opposition to the Chechen conflict.

She was shot dead on 7 October 2006.

<b>COUNTRY</b>	<b>NAME</b>	<b>BACKGROUND</b>	<b>ACTION TAKEN BY PARLIAMENT</b>
<b>ANGOLA</b>	<b>Sarah Wykes</b>	She is an activist of Global Witness. She held an important presentation in the hearing of the ACP-EU JPA Political Affairs Committee on 14 September 2006. On 18 February 2007, while conducting research, Dr Wykes was arrested in Angola and charged with espionage. She has been released on bail.	A letter of concern was sent on 14 May 2007.
<b>BANGLADESH</b>	<b>Sigma Huda</b>	The renowned Bangladeshi lawyer, human rights activist and UN Special Rapporteur on Trafficking in Persons was convicted in July 2007 and sentenced to 3 years in prison on charges of bribery and corruption.	In its resolution adopted on 6 September 2007, the European Parliament raised concerns about the conditions under which she was imprisoned and urged the Bangladeshi authorities to provide Ms Huda with all the necessary medical treatment and help required by her health condition and to respect her rights to receive visits from her family and friends in prison.  On 17 July 2007, UN Secretary-General Ban-Ki Moon called on the Bangladeshi authorities to fully respect Ms Huda's fundamental rights.
	<b>Sheikh Hasina, Khaleda Zia, Moudud Ahmed</b>	Three former Prime ministers detained or charged (among over 160 political leaders and with more than 100000 civilians) due to repressive measures (including a ban on all political activity) introduced by the military-backed Caretaker Government to end corruption.  On 27 August 2007 the Supreme Court overturned a High Court sentence for the release on bail of the former Prime Minister and Awami League president Sheikh Hasina, who has been	In its resolution adopted on 6 September 2007, the European Parliament raised concerns about the arrest and justification for ongoing detention of Awami League president Sheikh Hasina, arrested on 16 July 2007 and charged with extortion, and of Bangladesh Nationalist Party president Khaleda Zia, charged with corruption. The Parliament called on the Bangladeshi authorities to conduct the trial in a transparent way and according to the rule of law and, more particularly, called

		imprisoned since 16 July 2007. The former Prime Minister Khaleda Zia and her son were arrested on 3 September 2007 in Dhaka on allegations of corruption.	on the government to base its anti-corruption campaign solely on facts relevant in the context of criminal proceedings concerning corruption.
	<b>Anwar Hossain, Harun Ur Rashid, Saidur Rahman Khan, Abdus Sobhan</b>	Members of the teachers' association Shikkhok Samity who have been arrested subsequent to the students' and teachers' unrest which erupted in August 2007 at Dhaka university.	In its resolution adopted on 6 September 2007, the European Parliament called for their immediate release.
<b>BURMA (MYANMAR)</b>	<b>Aung San Suu Kyi</b>	The National League for Democracy (NLD) leader, Nobel Peace Prize Laureate and Sakharov Prize winner has spent 11 of the last 17 years under house arrest.	In its resolutions adopted on 21 June, 6 September and 27 September 2007, the European Parliament called for the immediate release and full freedom of movement and expression of Aung San Suu Kyi.
	<b>Min Ko Naing, Ko Ko Gyi</b>	Leaders of the 88 Generation Students, Min Ko Naing, has already spent 16 years in prison, and Ko Ko Gyi, 15 years.	In its resolution adopted on 27 September 2007, the European Parliament: - demanded the immediate and unconditional release of all those who have been arrested since the protests began on 19 August 2007,
	<b>U Win Tin</b>	A 77-year old journalist detained as a political prisoner for almost two decades now for writing a letter to the UN on the ill-treatment of political prisoners and the poor conditions in which they are held.	- utterly condemned the brutal response by the Burmese authorities to the peaceful demonstrations began on 19 August 2007 and expresses its horror at the killing of peaceful protestors,
	<b>Burmese Buddhist monks</b>	With ten of thousands of other peaceful demonstrators protested as of 19 August 2007 against the anti-democratic and repressive regime in Burma and many of them were arrested.	- reiterated its calls for the cessation of the current illegitimate constitutional process, and its replacement by a fully representative National Convention including the National League for Democracy and other political parties and groups.  In its resolution adopted on 21 June 2007, the European Parliament insisted on the immediate release of U Win Tin and all political prisoners – estimated to number over

			1200 – held by the SPDC. A special session of the Human Rights Council was held on Myanmar at the initiative of the EU, in October 2007.
	<b>Rawang Nang, Chinlai Nin Ram, Nanghkyi Hkaw Dang, Pu Ram</b>	The four girls, aged between 14 and 16 years, were gang-raped by army officers and then arrested.	A letter of concern was sent on 10 April 2007.
<b>CAMBODIA</b>	<b>Hy Vuthy</b>	President of the Free Trade Union of Workers in the Kingdom of Cambodia (FTUWKC) at the Suntex garment factory was shot dead on 24 February 2007.	In its resolution adopted on 15 March 2007, the European Parliament condemned the killing of Hy Vuthy and all other acts of violence against trade unionists and urged the Cambodian authorities to launch an urgent, impartial and effective investigation into the murders of Hu Vuthy, Chea Vichea, Ros Sovannarith and Yim Ry, to make the findings public and to bring the persons responsible to justice. The Parliament called on the authorities to give Born Sammang and Sok Sam Oeum a prompt retrial which complies with international standards.
	<b>Chea Vichea</b>	FTUWKC President, was shot dead on 22 January 2004.	
	<b>Ros Sovannarith</b>	FTUWKC President at the Trinunggal Komara factory; was murdered on 7 May 2004.	
	<b>Born Sammang</b>	They were arrested for the alleged murder of Chea Vichea and later convicted and sentenced to 20 years' imprisonment despite the lack of any credible evidence against them.	
	<b>Sok Sam Oeun</b>		
<b>CHINA</b>	<b>Yang Maodong</b>	This writer was imprisoned.	In its resolution adopted on 13 December 2007, the European Parliament called on the Chinese authorities:  - to allow an independent body to have access to Gedhun Choekyi Nyima, the Panchen Lama of Tibet, and his parents, as requested by the UN Committee on the Rights of the Child, and  - to release the writer Yang Maodong and the other 50 cyber-dissidents and web users imprisoned in China.
	<b>Gedhun Choekyi Nyima</b>	Panchen Lama of Tibet.	

<b>Ismail Semed</b>	Uyghur political prisoner and activist in support of Uyghurs' human rights was executed on the morning of 8 February 2007 in Urumchi.	A letter of concern was sent on 27 March 2007.
<b>Bu Dongwei</b>	He was sentenced to two and a half years of forced labour for being a Falun Gong practitioner.	On 28 February, the European Parliament called for his release.
<b>Guo Feixiong</b>	Human rights defender, he was arrested on 30 September 2006 with charges of illegal business activity.	A letter of concern was sent on 5 June 2007.
<b>Zhang Lianying</b>	She was beaten into a coma on 20 March 2007. She has been detained at the Beijing Women's Labor Camp since 14 June 2005 simply because she is an adherent of the Falun Gong. Her recent beating is very likely to be linked to the fact that her husband, Mr Niu Jinping, met Mr Edward McMillan-Scott, Vice-President of the European Parliament, in China during his visit in May 2006 in order to brief him on the plight of his wife and other Falun Gong practitioners held and often tortured in prisons.	In two letters of concern of 21 May 2007 the President of the European Parliament urged the Commission and the Council to raise these individual cases in all discussions with the Chinese authorities and in particular at the forthcoming round of the EU Human Rights Dialogue with China in Berlin on 14-15 May 2007.
<b>Cao Dong</b>	Another Falun Gong practitioner. He also met Vice-President McMillan-Scott in May 2006. Following the meeting, he was abducted by the Chinese police and his location remained unknown for several months. On 8 February 2007 he was sentenced to five years of imprisonment.	
<b>Yoo Sang-Joon</b>	North Korean refugee residing in China and facing trial in Inner Mongolia. There were fears that, after his trial, he may have been deported to North Korea where he was likely to face execution.	A letter of concern was sent to the Chinese authorities on 26 November 2007.
<b>Chen Tao</b>	Farmer in Sichuan province,	A letter of concern was sent to the Chinese authorities on

		executed in mid-2006.	23 January 2007.
<b>CONGO-BRAZAVILLE</b>	<b>Guy Yombo</b>	He was murdered on 23 January 2007 in a police station of Brazzaville.	A letter of concern was sent on 10 April 2007.
	<b>Christian Mounzéo, Brice Mackosso</b>	Human rights defenders, coordinators of the campaign "Publiez Ce Que Vous Payez" condemned to one year of prison.	A letter of concern was sent on 10 April 2007.
<b>CÔTE D'IVOIRE</b>	<b>Guy-André Kieffer</b>	French Canadian journalist. He was kidnapped on 16 April 2004 in Cote d'Ivoire.	A letter of concern was sent on 1 June 2007.
<b>CUBA</b>	<b>Damas de Blanco</b>	2005 Sakharov Prize laureates.	In its resolution adopted on 21 June 2007, the European Parliament urged the Cuban authorities immediately to allow the Damas de Blanco to leave the island so that they can accept the Parliament's invitation in order to receive the Sakharov Prize in person.
	<b>Oswaldo Payá Sardiñas</b>	2002 Sakharov Prize laureate.	In its resolution adopted on 21 June 2007, the European Parliament renewed its invitation and demanded that the Cuban authorities permit him to travel to Europe so that he could address the European institutions.
<b>EGYPT</b>	<b>Wasfi Sadek Ishaq, Karam Klieb Enderawis</b>	Two young Copts murdered on 3 October 2007.	In its resolution adopted on 15 November 2007 on Christian communities, the European Parliament expressed concerns about these murders.
	<b>Karim Amer</b>	Abd al-Karim Nabil Suleiman, better known by his pen name Karim Amer, who was condemned to nine years in prison due to the fact that he had posted articles criticizing Islam.	A letter of concern was sent on 15 February 2007.
	<b>Ayman Nour</b>	According to information received, he was mistreated by the police.	A letter of concern was sent on 22 May 2007 and on 05 July 2007.
	<b>Mohammed</b>	His freedom of religion was	A letter of concern was sent

	<b>Ahmed Hegazy</b>	not respected, and his right to life and security of person was threatened, as well as that of his wife.	on 10 September 2007.
	<b>Association for Human Rights Legal Aid</b>	This NGO was dissolved by a decree of the Governor of Cairo in September 2007.	A letter of concern was sent on 20 December 2007.
<b>ETHIOPIA</b>	<b>Hailu Shawel, Professor Mesfin Woldemariam, Dr Yacob Hailemariam, Dr Berhanu Nega, Ms Birtukan Mideksa</b>	<p>On 11 June 2007, among 38 senior opposition figures, the following human rights defenders were found guilty of charges related to mass protests following disputed elections two years ago:</p> <p>Hailu Shawel, President of the Coalition for Unity and Democracy,</p> <p>Professor Mesfin Woldemariam, former Chair of the Ethiopian Human Rights Council,</p> <p>Dr Yacob Hailemariam, UN Special Envoy and former Prosecutor of the International Criminal Tribunal for Rwanda,</p> <p>Dr Berhanu Nega, Mayor-elect of Addis Ababa, and</p> <p>Ms Birtukan Mideksa, former judge.</p> <p>All of them were declared "prisoners of conscience" by Amnesty International.</p>	<p>In its resolution adopted on 21 June 2007, the European Parliament:</p> <ul style="list-style-type: none"> <li>- deplored this decision and condemned the fact that this occurred without defence proceedings in a judicial process that did not respect international standards,</li> <li>- urged the Ethiopian Government to promptly investigate the incidents involving students in Dembi Dollo and Ghimbi and to hold those responsible accountable (in January 2007 police forces allegedly beat and severely injured students in the towns of Dembi Dollo and Ghimbi, causing the death of three of them, and detained between 30 and 50 students),</li> <li>- condemned the arrests of independent journalists and asks the Ethiopian Government to guarantee freedom of the press.</li> </ul>
	<b>Etenesh Yiman</b>	This wife of an opposition candidate, was shot down outside her house in front of her children	
	<b>Serkalem Fasil</b>	This journalist was six months pregnant when she was arrested. She was denied adequate medical care.	In its resolution adopted on 21 June 2007, the European Parliament welcomed the release of 28 defendants on 10 April 2007, including seven journalists, one of whom was Serkalem Fasil.
<b>GEORGIA</b>	<b>Sozar Subari</b>	Georgian police troops used excessive force while trying to disperse anti-government demonstrations, among them Georgian Public Defender Mr	A letter of concern was sent on 4 November 2007.

		Sozar Subari, on 7 November 2007 in Tbilisi and on 8 November 2007 in Batumi.	
<b>GUATEMALA</b>	<b>Eduardo José D'Aubuisson Munguía,</b> <b>William Rizziery Pichinte Chávez,</b> <b>José Ramón González Rivas,</b> <b>Gerardo Napoleón Ramírez</b>	Three Members of the Central American Parliament, the Salvadoreans Eduardo José D'Aubuisson Munguía, William Rizziery Pichinte Chávez and José Ramón González Rivas, as well as their driver, Gerardo Napoleón Ramírez, were brutally murdered as they were driving towards the PARLACEN plenary meeting. Their charred and abandoned corpses were found near Guatemala City.	In its resolution adopted on 15 March 2007, the European Parliament expressed its total repudiation of all the murders concerned and expected the Guatemalan government to guarantee full independence, liberty and security to the Guatemalan judicial authorities in their investigation of these crimes.
	<b>Pedro Zamora</b>	Trade unionist in Puerto Quetzal killed in 2007.	
<b>INDIA</b>	<b>Taslina Nasreen</b>	Ms Nasreen, Sakharov Prize 1994, was threatened to death for publishing a novel "the shame" harshly contested by Islamic fundamentalists. She had to leave the Indian state of western Bengal where she used to live.  In 2008, her visa for India was extended. She remains under threat.	A letter of concern was sent on 29 November 2007 and again on 04 February 2008.
<b>IRAQ</b>	<b>Father Pius Afas,</b> <b>Father Mazen Ishoa</b>	Two Catholic priests kidnapped on 14 October 2007.	In its resolution adopted on 15 November 2007 on Christian communities, the European Parliament raised concerns at the recent violent events in Iraq.
	<b>Zuhair Youssef Astavo Kermles,</b> <b>Luay Solomon Numan</b>	Two Assyrian Christian members of the organisation National Union of Bet-Nahrin assassinated on 28 June 2007.	
	<b>P. Ragheed Ganni</b>	On 3 June 2007, this Chaldean priest and three deacons who were his assistants were murdered.	
	<b>Samar Sa'ad 'Abdullah,</b> <b>Wassan Talib,</b>	Iraqi young women sentenced to death penalty.	A letter was sent to appeal for a pardon or commutation of sentences on 23 February 2007.

	<b>Zeynab Fadhil, Liqa' Qamar</b>		
<b>IRAN</b>	<b>Jafar Kiani</b>	On 5 July 2007, he was executed by stoning in the village of Aghche-kand (Qazvin Province).	In its resolution adopted on 25 October 2007, the European Parliament:
	<b>Sian Paymard, Adnan Hassanpour, Abdolvahed "Hiva" Botimar, Mr Behnam Zare, Mr Ali Mahin Torabi</b>	Death sentence imposed on Sian Paymard, Adnan Hassanpour, Abdolvahed "Hiva" Botimar, Ali Mahin Torabi and imminent execution of Mr Behnam Zare.  These journalists – Adnan Hassanpour and Abdolvahed Botimar – have been sentenced to death.	- strongly condemned the execution by stoning of Mr Jafar Kiani, called on the Iranian authorities to implement their declared moratorium on stoning and demanded that the Islamic Penal Code of Iran be reformed in order to abolish stoning,  - called on the Iranian authorities to unconditionally release all prisoners of conscience, notably the journalists Emadaddin Baghi, Ako Kurdnasab, Ejlal Ghavami, Mohammad Sadegh Kaboudvand, Said Matinpour, Adnan Hassanpour, Abdolvahed Botimar, Kaveh Javanmard and Mohammad Hassan Fallahieh, the unionists Mansour Osanlou, Ebrahim Madadi and Mahmoud Salehi, and the students Ehsan Mansouri, Majid Tavakoli and Ahmad Ghassaban,
	<b>Mansour Osanlou, Ebrahim Madadi, Mahmoud Salehi</b>	Arrests of renowned trade union leaders due to the increase of the repression of the trade union movement: Mansour Osanlou, president of the Syndicate of Workers of Tehran and Suburbs Bus Company (SWTBC), and his deputy, Ebrahim Madadi, as well as Mahmoud Salehi, former President of the Bakery Workers' Union.	- condemned the arrest and imprisonment of human rights defender Dr Sohrab Razzaghi on 24 October 2007 and called for his immediate and unconditional release,  - proposed to restart the EU-Iran Human Rights Dialogue, which has been interrupted since June 2004.
	<b>Emadaddin Baghi, Ako Kurdnasab, Ejlal Ghavami, Mohammad Sadegh Kaboudvand, Said Matinpour Adnan Hassanpour, Abdolvahed Botimar, Kaveh Javanmard Mohammad Hassan Fallahieh</b>	Journalists and prisoners of conscience.	The Presidency on behalf of the EU made two declarations on 25 May 2007 and 3 August 2007 concerning the death sentence imposed on Sian Paymard, Adnan Hassanpour, Abdolvahed "Hiva" Botimar, Mr Ali

	<p><b>Ehsan Mansouri,</b> <b>Majid Tavakoli,</b> <b>Ahmad Ghassaban</b></p>	<p>Students and prisoners of conscience.</p>	<p>Mahin Torabi and the imminent execution of Mr Behnam Zare.</p>
	<p><b>Dr Sohrab Razzaghi</b></p>	<p>Human rights defender arrested and imprisoned on 24 October 2007.</p>	
	<p><b>Rasool Ali Mezrea</b></p>	<p>Iranian asylum-seekers who have been sent back to Iran by third countries run severe risks of persecution, as shown by the recent case of Rasool Ali Mezrea, a member of the Al Ahwaz Liberation Organisation, who is threatened with execution after having been forcibly returned from Syria, despite his status as a recognised UNHCR refugee.</p>	
	<p><b>Mohammad Hassan Talebi,</b> <b>Mohammad Hossein Jaafari,</b> <b>Vahid Shokoohi Nia</b></p>	<p>Iranian asylum seekers persecuted on the basis of their sexual orientation and threatened to be expelled from Greece.</p>	<p>In its resolution adopted on 25 October 2007, the European Parliament called on the EU Member States to refrain from expulsions of Iranian asylum-seekers, including those persecuted on the basis of their sexual orientation, and called on Greece not to return Mohammad Hassan Talebi, Mohammad Hossein Jaafari and Vahid Shokoohi Nia to Iran.</p>
	<p><b>Majed Albughbish,</b> <b>Raisan Sawari,</b> <b>Ghassem Salamat,</b> <b>Mohammad Jaab Pour,</b> <b>Abdulmir Farjallah Jaab,</b> <b>Alireza Asakreh,</b> <b>Khalaf Derhab Khudayrawi,</b> <b>Alireza Asakreh,</b></p>	<p>On 14 February 2007, the Iranian authorities executed three men in the Southern province of Khuzistan: Majed Albughbish, Raisan Sawari, and Ghassem Salamat. Mohammad Jaab Pour, Abdulmir Farjallah Jaab, Alireza Asakreh and Khalaf Derhab Khudayrawi were executed on 24 January 2007 and Alireza Asakreh, Malek Banitamim and Ali Matouri Zadeh were executed on 19 December 2006.</p>	<p>On 7 March 2007, the European parliament strongly condemned these acts.</p>

	<b>Malek Banitamim, Ali Matouri Zadeh</b>		
<b>KYRGYZ REPUBLIC</b>	<b>Ramazan Dyryldaev</b>	The Office of the Kyrgyz Committee for Human Rights (KCHR) was burnt out while its Chairman was attacked on 12 and 13 September.	A letter of concern was sent on 2 October 2007
	<b>Alisher Saipov</b>	Kyrgyz journalist of Uzbek origin. He was shot to death on 24 October 2007 in the Kyrgyz city of Osh.	A letter of concern was sent on 31 October 2007.
<b>LEBANON</b>	<b>Rafik Hariri</b>	Former Lebanese Prime Minister assassinated.	In its resolution adopted on 12 July 2007, the European Parliament welcomed the UN Security Council resolution setting up the international tribunal to try those responsible for the assassination of Rafik Hariri.
<b>LIBYA</b>	<b>Kristiana Vulcheva, Nasya Nenova, Valentina Siropulo, Valya Cherveniyashka, Snezhana Dimitrova, Ashraf al-Haiui</b>	Five Bulgarian nurses and a Palestinian doctor sentenced to death by the Libyan Criminal Court of 19 December 2006 who spent eight years in prison.  They were released in July 2007 and received in plenary in the EP (Strasbourg) on November 2007.	In its resolution adopted on 18 January 2007, the European Parliament condemned the verdict of the Libyan Criminal Court.
<b>MEXICO</b>	<b>Hester Van Nierop, Brenda Susana Margaret Searle</b>	Two Dutch citizens victims of "femicide" in 1998 and 2001.	In its resolution adopted on 11 October 2007, the European Parliament stated that the convicted perpetrators were sentenced to 33 and 39 years imprisonment respectively on 26 February 2007. The sentence is the subject of a pending appeal.
<b>MOROCCO</b>	<b>El Ghalia Djimi</b>	A human rights defender and the Vice-President of the ASVDH (Association Sahraouie des Victimes des Violations Graves des Droits Humains Commises par l'Etat Marocain). She was limited in	Ms. Djimi was invited to the European Parliament in April 2007.  A letter of concern was sent on 13 November 2007.

		her right to free movement and freedom of expression.	
	<b>Brahim Sabbar, Ahmed Sbai, Mohamed Tahlil</b>	These members of the ASVDH (Association Sahraouie des Victimes des Violations Graves des Droits Humains Commises par l'Etat Marocain) were imprisoned.	A letter of concern was sent on 13 November 2007.
<b>OCCUPIED PALESTINIAN TERRITORIES</b>	<b>Alan Johnston</b>	BBC journalist who was abducted at gunpoint on 12 March 2007 while returning home in Gaza City.	In its resolution adopted on 26 April 2007, the European Parliament called for Mr Johnston to be immediately and unconditionally released unharmed and returned to safety.  In its resolution adopted on 12 July 2007 on the Middle East, the European Parliament welcomed the release of the BBC journalist.
	<b>Gilad Shalit</b>	Israeli corporal imprisoned.	In its resolution adopted on 12 July 2007, the European Parliament stressed that a series of confidence-building measures should be taken by both Israelis and Palestinians including the immediate release of all imprisoned Palestinian former ministers, legislators and mayors and the Israeli corporal Gilad Shalit.
	<b>Eldad Regev Ehud Goldwasser</b>	Two abducted Israeli soldiers.	In its resolution adopted on 12 July 2007, the European Parliament called for a sign of life from these two soldiers to be given by their kidnapers and called for their immediate release.
	<b>Rami Khader Ayyad</b>	Owner of a Christian library murdered on 7 October 2007.	In its resolution adopted on 15 November 2007 on Christian communities, the European Parliament deplored this murder.
<b>PAKISTAN</b>	<b>Benazir Bhutto</b>	Leader of the Pakistan Peoples Party (PPP), assassinated on 27 December 2007.	In its resolution adopted on 15 November 2007, the European Parliament:
	<b>Asma Jahangir</b>	Chair of the independent	- raised concerns about the arrest of more than 3 000

		Human Rights Commission and UN special rapporteur on freedom of religion or belief, was placed under house arrest. (According to information received, she is no longer under house arrest.)	citizens, including leaders of political parties, lawyers, journalists, human rights activists and representatives of civil society. The Parliament demanded that the house arrest of Benazir Bhutto, leader of the PPP, of Asma Jahangir, Chair of the independent Human Rights Commission and UN special rapporteur on freedom of religion or belief, and of I.A. Rehman, the founder of that organisation, be put to an immediate end. The Parliament was alarmed that a detention order remained in place against Hina Jilani, the UN Special Representative of the Secretary General on Human Rights Defenders.  - demanded that judicial independence be restored by reinstating the judiciary, demanded the immediate release of all representatives of the ban associations who have been arrested after peaceful street protests and denounced in particular the unlawful house arrest of Chief Justice Chaudhry (already raised in its resolution of 12 July 2007) and the imprisonment of Aitzaz Ahsan, President of the Supreme Court Bar Association.
	<b>Hina Jilani</b>	UN Special Representative of the Secretary General on Human Rights Defenders. A detention order was issued against her. (According to information received, this detention order has been dropped in the meantime.)	
	<b>I.A. Rehman</b>	Founder of the independent human rights commission was placed under house arrest.	
	<b>Iftikhar Mohammad Chaudhry</b>	Chief of Justice. He was placed under house arrest.	
	<b>Aitzaz Ahsan</b>	President of the Supreme Court Bar Association. He was imprisoned.	
	<b>Arif Khan</b>	Protestant Bishop. He was assassinated with his wife on 29 August 2007.	
<b>PHILIPPINES</b>	<b>Giancarlo Bossi</b>	This Catholic priest was kidnapped.	In its resolution adopted on 15 November 2007 on Christian communities, the European Parliament raised concerns at the recent violent events in Pakistan.
	<b>Ms Siche Bustamante-Gandinao</b>	A dedicated human rights activist who was killed just days after testifying to the UN	In its resolution adopted on 26 April 2007, the European Parliament condemned in the

		Special Rapporteur on extrajudicial, summary or arbitrary executions.	strongest terms this murder and raised concerns about the lack of any police investigation concerning this important case.
<b>RUSSIA</b>	<b>Galina Kozlova</b>	Member of the board of the Mari national organisation Mari Ušem, editor of the literary magazine Ontšõko and wife of Vladimir Kozlov, chair of the Mari Council. She was brutally attacked on 25 January and suffered head injuries resulting in concussion and severe headaches, dizziness and eyesight problems.	In its resolution adopted on 15 March 2007, the European Parliament: <ul style="list-style-type: none"> <li>- strongly condemned the attack on Galina Kozlova, which has so far not led to any convictions or even arrests, and the continuing harassment of, and assaults on, activists, leading cultural figures and independent journalists in Mari El,</li> <li>- called on the federal and local authorities to bring the perpetrators of these acts to justice and ensure respect for freedom of expression,</li> <li>- called on the Commission to raise the issue of Finno-Ugric minorities in Russia, and concerns regarding the situation in Mari El, during the regular EU-Russia human rights dialogue and at the forthcoming EU-Russia Summit.</li> </ul>
	<b>Mikhail Khodorkovsky</b>	The Swiss Federal Tribunal decided on 13 August 2007 that his prosecution and that of Mr Yukos by the Russian authorities was illegal and politically motivated.	In its resolutions adopted on 10 May and 14 November 2007, the European Parliament, expressed concerns over democracy and human rights in Russia, over the independence of the judiciary, as exemplified by the Yukos case, over increased control of the media, over the inability of the Russian police and judicial authorities to find those responsible for murders of journalists and over repressive measures taken against the opposition.
	<b>Gari Kimovič Kasparov, Maria Gaidar,</b>	Following a march on 14 April 2007, leaders of the United Front Civic Front, former world chess champion Gari	In its resolution adopted on 26 April 2007, the European Parliament: <ul style="list-style-type: none"> <li>- strongly condemned the use</li> </ul>

	<b>Stephan Stuchlik</b>	<p>Kimovič Kasparov and Maria Gaidar, the daughter of Russia's first post-Soviet reformist prime minister were detained. Many journalists, including ARD (German Television) correspondent Stephan Stuchlik, who tried to capture the events and disseminate them to the West, were also beaten and arrested.</p> <p>On 15 April 2007 another protest, albeit far smaller, organised by the same grouping, was broken up in a similar way in St Petersburg. Gari Kimovič Kasparov was detained before the protest began. Some demonstrators were arrested whilst en route to the event.</p>	<p>of excessive force by the Russian anti-riot police during last weekend's peaceful demonstrations in Moscow and St Petersburg,</p> <ul style="list-style-type: none"> <li>- called on the Russian authorities to comply with their international obligations and to respect freedom of expression and freedom of assembly,</li> <li>- called on the Council of Europe to investigate the human rights violations that took place at these peaceful demonstrations.</li> </ul> <p>Gari Kimovič Kasparov was received in plenary at the European Parliament in May 2007.</p>
<b>RWANDA</b>	<b>Idesbald Byabuze Katabaruka</b>	Professor and human rights defender. He was detained in a prison in Kigali.	A letter of concern was sent on 10 April 2007.
<b>SAUDI ARABIA</b>	<b>A 19-year-old woman, known as 'the Qatif '</b>	She was sentenced to 90 lashes following an incident in which she was alone in a car talking with a man who was not a close relative when she was attacked and gang-raped. The General Court of Qatif (Saudi Arabia) reviewed the sentence in November 2007 and condemned her to six months in prison and 200 lashes.	<p>In its resolution adopted on 13 December 2007, the European Parliament:</p> <ul style="list-style-type: none"> <li>- deplored the decision taken by the General Court of Qatif to punish the rape victim,</li> <li>- called on the Saudi Arabian authorities to quash the sentence and drop all charges against the victim of the rape,</li> </ul>
	<b>Abdul Rahman Al-Lahem</b>	<p>The Qatif girl's lawyer. He was banned from the courtroom and from any future representation of his client after attempts to take legal action against the Ministry of Justice for failing to provide him with a copy of the verdict concerning his client so that he could prepare an appeal.</p> <p>He faced a disciplinary hearing at the Ministry of Justice, where sanctions can include suspension for three years and disbarment.</p>	<ul style="list-style-type: none"> <li>- insisted that the Saudi Arabian Government take further steps aimed at lifting restrictions on women's rights.</li> </ul>
	<b>Fatima and Mansour Al-</b>	Mr Al-Lahem also defended the case of this couple, parents	

	<b>Timani</b>	of two children, who were forcibly divorced in July 2007 on the request of the wife's brother, based on the argument that Fatima's tribal lineage was superior to that of her husband. Both were incarcerated for prolonged periods (months), together with their children for refusing to accept the divorce. Since then Fatima has been obliged to live in a shelter because she refuses to return to her family.	
	<b>Rizana Nafeek</b>	A Sri Lankan domestic worker who was sentenced to capital punishment in June 2007 for the death of an infant in her custody when she was only 17 years old.	
	<b>Siti Tarwiyah Slamet, Susmiyati Abdul Fulan</b>	Indonesian domestic workers who were beaten to death by their employing family in August 2007 while two others were critically wounded.	
	<b>Ahmadiyya Muslim Jamaat</b>	He is suffering discrimination for his religious beliefs.	A letter requesting more information was sent on 23 January 2007.
<b>SOMALIA</b>	<b>Isse Abdi Isse</b>	Human rights defender. He was shot dead on 14 March 2007 in a hotel in Mogadishu.	A letter of concern was sent on 9 May 2007
<b>SUDAN</b>	<b>Sadia Idriss Fadul</b> <b>Amouna Abdallah Daldoum</b>	A criminal court in the Managil province, Gazira state, central Sudan, headed by Judge Hatim Abdurrahman Mohamed Hasan, sentenced <b>Sadia Idriss Fadul</b> (a 22-year-old female from the Fur ethnic group, Darfur) and <b>Amouna Abdallah Daldoum</b> (a 23-year-old female of the Tama ethnic group, Darfur) on 13 February 2007 and 6 March 2007 respectively to death by stoning for having committed adultery. According to a letter sent by the Embassy of the Republic of the Sudan in Brussels, the death sentences were quashed.	In its resolution adopted on 24 May 2007, the European Parliament: - welcomed the quashing of the death sentences – if indeed they are confirmed by the court itself – and calls on the Sudanese Government to guarantee the physical and psychological integrity of Sadia Idriss Fadul and Amouna Abdallah Daldoum, - called on the Sudanese Government to repeal the death sentences against, and guarantee the physical and psychological integrity of, Abdelrhman Zakaria Mohamed and Ahmed

	<b>Abdelrhman Zakaria Mohamed</b>	On 3 May 2007 the criminal court of Nyala in south Darfur sentenced them, both males aged 16, to death for hanging on murder, causing injury intentionally and robbery.	Abdullah Suleiman.
	<b>Ahmed Abdullah Suleiman</b>		
SYRIA	<b>Michel Kilo Mahmoud Issa</b>	Michel Kilo, a militant pro-democracy writer who was arrested on 14 May 2006, mainly because of his position on the Beirut-Damascus Declaration and sentenced with Mahamoud Issa on 13 May 2007 to a three-year prison term.	<p>In its resolution adopted on 24 May 2007, the European Parliament:</p> <ul style="list-style-type: none"> <li>- expressed its concern at the restrictions imposed on, and the charges made against, Mahmoud Issa, Fayek El Mir, Aref Dalila, Kamal al-Labwani, Anwar Al Bunni, Michel Kilo, Suleiman Al-Shamar and Khalil Hussein for exercising their democratic rights and engaging in peaceful activities,</li> <li>- urged the relevant Syrian bodies to reverse the abovementioned judgments, drop the charges still pending in the Military Court of Damascus and release all the above-mentioned prisoners of conscience and political prisoners.</li> </ul>
	<b>Suleiman Al-Shamar and Khalil Hussein</b>	Suleiman Al-Shamar, leading member of the Democratic National Community, and Khalil Hussein, President of the Public Relations Office at the Kurd Future Trend, were sentenced to ten years' imprisonment for "weakening the national ethic" and "conspiring with a foreign country".	
	<b>Fayek El Mir and Aref Dalila</b>	These members of various human rights organisations in Syria have been detained in solitary confinement for six years now.	
	<b>Kamal al-Labwani</b>	Syrian security forces arrested this physician and co-founder of the Democratic Liberal Gathering, on 8 November 2005 upon his return from a trip to Europe, the United States and Egypt. He was sentenced to 12 years' imprisonment with hard labour on politically motivated charges.	
	<b>Anwar Al Bunni</b>	A founding member of the Syrian Human Rights Organisation and a lawyer specialising in human rights issues, who was arrested on the streets of Damascus in 2006 when he was on the verge of taking up a post as the director	

		of a human rights centre financed by the European Union. He was sentenced to five years' imprisonment for "spreading false information harmful to the state".	
<b>MOLDOVA (TRANSNISTRIA)</b>	<b>Tudor Popa Andrei Ivantoc</b>	They were subjected to degrading treatment and prohibited from returning to their homes.	In its resolution adopted on 12 July 2007, the European Parliament:  - welcomed the release of Andrei Ivanțoc and Tudor Popa, but deplored the fact that their release by the separatist regime of Tiraspol was declared as resulting from the expiry of their term of imprisonment, and not due to the implementation of the decision of the ECHR,  - condemned the fact that Andrei Ivanțoc was subjected to violence and attacks on his human dignity upon his release, as film footage taken by witnesses to his release testifies.
	<b>Members of the Ilașcu Group</b>	They were arrested and detained on charges of terrorism. This represented an illegal act of the Transnistrian separatist regime and did not meet international standards.	In its resolution adopted on 12 July 2007, the European Parliament strongly deplored the lack of respect for human rights and human dignity in Transnistria, as reflected by the trial and detention of the Ilașcu Group, and called for the immediate and full implementation of the judgment of the ECHR of 8 July 2004 in the case of Ilașcu.
	<b>Valentin Besleag</b>	A mayoral candidate in legitimate local elections in Corjova arrested on 2 June 2007.	In its resolution adopted on 12 July 2007, the European Parliament demanded the cessation of deprivation of freedom of persons for political activity; in this respect condemned the arrest on 2 June 2007 and subsequent treatment of Valentin Besleag.
<b>TUNISIA</b>	<b>Maitre Mohamed</b>	A lawyer and human rights defender. He was detained for publishing articles critical	A letter of concern was sent on 15 February 2007.

	<b>Abbou</b>	towards the Tunisian government.	
	<b>Ousama Abbadi, Mohammed Amine Jaziri, Ramzi el Aifi, Oualid Layouni, Mahdi Ben Elhaj, Ziad Fakraoui</b>	They were tortured to stop them from continuing their hunger strike while in detention.	Two letters of concern were sent on 25 February 2007 to the Tunisian authorities.
	<b>Omar Mestiri</b>	A journalist for the on-line Newspaper <i>Kalima</i> . He was wrongly accused of defamation. This also led to the authorities closing the on-line Newspaper.	A letter of concern was sent on 26 July 2007 to the Tunisian authorities.
	<b>Maître Raouf Ayadi</b>	A renowned human rights defender. He was assaulted by the Police as he prepared to represent a group of young people indicted on terrorism charges before the tribunal of first instance of Tunis.	A letter of concern was sent on 26 July 2007 to the Tunisian authorities.
<b>TURKEY</b>	<b>Andrea Santoro</b>	Father Andrea Santoro was a Catholic priest who was murdered in the Santa Maria Church in Trabzon, Turkey, where he served as a member of the Catholic church's Fidei donum missionary program.	In its resolution adopted on 24 October 2007, the European Parliament: - strongly condemned the murders of Hrant Dink, of the Christian priest Andrea Santoro, and of three Christians in Malatya, - deplored the fact that a number of people are still being prosecuted under Article 301 of the Penal Code, - strongly condemned the recent conviction of Saris Seropyan and Arat Dink under this article and urged the government and the newly elected parliament to make sure that all provisions of the Penal Code allowing for arbitrary restrictions on the expression of non-violent opinions are removed and that freedom of expression and
	<b>Hrant Dink</b>	A Turkish-Armenian editor, journalist and columnist. As the editor-in-chief of the bilingual Turkish-Armenian newspaper Agos (Այոս), he was a prominent member of the Armenian minority in Turkey. He was assassinated in Istanbul in January 2007.	
	<b>Saris Seropyan</b>	The Turkish-Armenian journalists Saris Seropyan and Arat Dink (son of assassinated Turkish-Armenian journalist Hrant Dink) were given a one year suspended sentence for violation of article 301 of the Turkish Penal Code: 'insulting	
	<b>Arat Dink</b>		

		<i>Turkishness'</i> .	freedom of the press are guaranteed.
	<b>Tilmann Geske, Necati Aydin, Ugur Yuksel</b>	Three Christians murdered during the attacks on the Christians publishing house Zirve on 18 April 2007.	In its resolution adopted on 15 November 2007, the European Parliament noted that it was horrified by these attacks and recalled its resolution of 24 October 2007 on EU-Turkey relations and its strong condemnation of the murders of Hrant Dink and the Catholic priest Andrea Santoro.
<b>UNITED STATES OF AMERICA</b>	<b>Abu Omar</b>	This Egyptian cleric had been granted asylum in Italy, was abducted in Milan on 17 February 2003, transferred from Milan to the NATO military base of Avano by car, and then flown, via the NATO military base of Ramstein in Germany, to Egypt, where he was held <i>incommunicado</i> and tortured.	In its resolution adopted on 14 February 2007 on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners, the European Parliament condemned extraordinary renditions.
	<b>Abou Elkassim Britel</b>	This Italian citizen was arrested in Pakistan in March 2002 by the Pakistani police and interrogated by US Pakistani officials, and subsequently rendered to the Moroccan authorities and imprisoned in the detention facility "Temara".	
	<b>Bisher Al-Rawi, Jamil El-Banna</b>	Bisher Al-Rawi, an Iraqi citizen, and Jamil El-Banna, a Jordanian citizen, both residents in the United Kingdom, were arrested by Gambian authorities in Gambia in November 2002, turned over to US agents, and flown to Afghanistan and then to Guantanamo where they remain detained in the absence of a trial or any form of judicial assistance.	
	<b>Binyam Mohammed</b>	This Ethiopian citizen and resident in the United Kingdom was held in at least two secret detention facilities, in addition to military prisons.	

	<b>Martin Mubanga</b>	This UK citizen was arrested in Zambia in 2002 and subsequently flown to Guantanamo where he was detained and tortured for four years without trial or any form of judicial assistance and then released without charge.	
	<b>Khaled El-Masri</b>	This German citizen was abducted on 31 December 2003 (in the Former Yugoslav Republic of Macedonia), illegally held in Skopje until January 2004 and transported to Afghanistan where he was held until May 2004 and subjected to degrading and inhuman treatment.	
	<b>Maher Arar</b>	This Canadian Citizen was detained in the US and eventually deported to Syria under the US policy of extraordinary renditions. He claimed that he was subjected to torture while in Syrian detention.	
	<b>Ahmed Agiza, Mohammed El-Zari</b>	Egyptian citizens, who were seeking asylum in Sweden, were expelled in December 2001.  They were deported to Egypt, outside the rule of law, and were subjected to degrading treatment by US officials.	
	<b>Murat Kurnaz</b>	This Turkish citizen resident in Germany was arrested in Pakistan in November 2001, transferred to the US units across the border in Afghanistan by the Pakistani police on no legal basis and with no judicial assistance, and finally flown to Guantanamo at the end of January 2002, whence he was released on 24 August 2006 without charge, having been tortured in all locations where he had been led.	
	<b>Mohammed</b>	This German citizen was arrested without formal charge	

	<b>Zammar</b>	on 8 December 2001 at the Casablanca airport in Morocco and tortured in Morocco and Syria.	
	<b>Abdel-Halim Khafagy</b>	This Egyptian citizen and long-term resident in Germany was probably arrested in Bosnia and Herzegovina in September 2001 on suspicion of being a terrorist and abducted to a prison on a US 'Eagle Base' military base in Tuzla where he was severely mistreated and detained under inhumane conditions.	
	<b>Masaad Omer Behari</b>	This Sudanese citizen and resident in Austria since 1989 was abducted at Amman airport on 12 January 2003 on his way back to Vienna from Sudan. He was later illegally secretly detained in a prison close to Amman in the absence of a trial or legal assistance. He was tortured and ill-treated there until 8 April 2003, when he was released without charge.	
	<b>Gamal Menshawi</b>	This Egyptian citizen and resident in Austria was arrested on his way to Mecca at Amman airport in February 2003, and later brought to Egypt where he was secretly detained until 2005 in the absence of a trial or legal assistance.	
	<b>Abdurahman Khadr</b>	He was allegedly transported from Guantanamo to Tuzla in Bosnia and Herzegovina on 6 November 2003.	
	<b>Mustafa Setmariam Nasarwho</b>	This Spanish citizen was abducted in Syria in October 2005 and rendered to US agents.	The European Parliament called on the Spanish authorities to take all necessary steps to allow him to face a fair trial before competent judicial authorities.
	<b>Kenneth Foster</b>	He was sentenced to death without committing or assisting in any murder.	A letter of concern was sent on 27 August 2007.

<b>UZBEKISTAN</b>	<b>Norboi Kholzhigitov,</b> <b>Khayatulla Kholzhigitov,</b> <b>Sattor Izraev,</b> <b>Khabibulla Akpulatov,</b> <b>Nasim Isakov,</b> <b>Azam Formonov,</b> <b>Alisher Karamatov,</b> <b>Yadgar Turlibekov,</b> <b>Jamshid Karimov,</b> <b>Dilmurod Muhiddinov,</b> <b>Mutabar Tadzhibaeva,</b> <b>Saidjahon Zainabitdinov,</b> <b>Ihtiyor Hamroev,</b> <b>The family of Ahmadjan Madmarov,</b> <b>Ihtiyor Hamroev</b>	<p>These human rights defenders are detained in prison or psychiatric hospitals, sometimes subjected to torture and ill-treatment.</p>	<p>Letter of concern were sent on 15 January, on May 15 2007, and on 3 July 2007.</p> <p>In its resolution of 15 November 2007, the European Parliament called upon the Uzbek authorities:</p> <ul style="list-style-type: none"> <li>- to release these human rights defenders.</li> </ul>
	<b>Mihra Rittmann</b>	<p>The Ministry of Justice in Uzbekistan refused to officially recognize this Human Rights Watch Office's Associate.</p>	<p>A letter of concern was sent on 03 July 2007.</p> <p>In its resolution of 15 November 2007, the European Parliament called upon the Uzbek authorities to:</p> <ul style="list-style-type: none"> <li>- officially recognize the Human Rights Watch office.</li> </ul>
	<b>Elena Urlaeva</b>	<p>Chairwoman of the Human Rights Alliance of Uzbekistan. She reportedly suffered continuous harassment and was physically attacked.</p>	<p>A letter of concern was sent on 15 January 2007.</p>
	<b>Umida Niazova</b>	<p>Translator at the office of Human Rights Watch in Tashkent. She was sentenced to seven years of probation.</p>	<ul style="list-style-type: none"> <li>-An appeal for dropping all charges against her was sent on 15 January 2007</li> <li>- A further letter of concern</li> </ul>

			<p>was sent on 19 April 2007 calling for the release of Unida Niazova, and 15 May 2007.</p> <p>- Her sentence was commuted to seven years imprisonment.</p>
	<b>Ikhtior Khamroev</b>	<p>University student detained since August 2006. He was subjected to physical attacks and there were concerns surrounding the fairness of his trial.</p>	<p>The Parliamentary Delegation to Uzbekistan wrote a letter to Commissioner Ferrero-Waldner requesting her to bring Ikhtior's case to the attention of the Uzbek authorities.</p>
<b>VIETNAM</b>	<b>Thich Huyen Quang, Thich Quang Do</b>	<p>The Patriarch of the Unified Buddhist Church of Vietnam, Thich Huyen Quang (87 years old), and his deputy, Thich Quang Do (79 years old), winner of the 2006 Rafto Prize for human rights work have been imprisoned without trial in their monastery since 1982 for the sole reason of being ardent supporters of religious freedom, human rights and democracy.</p>	<p>In its resolution adopted on 12 July 2007, the European Parliament called for the immediate and unconditional release of all individuals imprisoned for the sole reason of having peacefully and legitimately exercised their right to freedom of opinion, freedom of expression, freedom of the press and freedom of religion.</p>
	<b>Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan</b>	<p>Vietnam continues to hold trials with no respect for the presumption of innocence, the rights of the defendant or the independence of judges, as shown by the trials of the Catholic priest Nguyen Van Ly (30 March 2007), and of the lawyers Nguyen Van Dai and Le Thi Cong Nhan (11 May 2007).</p>	
	<b>Nguyen Phong, Nguyen Binh Thanh, Tran Quoc Hien, Le Nguyen Sang, Nguyen Bac Truyen, Huynh Nguyen Dao, Duong Thi Tron, Le Van Soc,</b>	<p>These people were sentenced to several years in prison, which constitutes a violation of their human rights:</p> <p>Catholic priest Nguyen Van Ly (sentenced to eight years' imprisonment), Nguyen Phong (six years), Nguyen Binh Thanh (five years), the lawyer Nguyen Van Dai (five years) (all members of the pro-democracy and reform group Bloc 8406) and the lawyer Le Thi Cong Nhan, spokeswoman for the Progression Party, (four</p>	

	<p><b>Nguyen Van Thuy,</b>  <b>Nguyen Van Tho,</b>  <b>Thich Huyen Quang</b>  <b>Thich Quang Do</b>  <b>Bui Thi Kim Thanh</b></p>	<p>years), Tran Quoc Hien, representative of the Workers-Farmers Organisation, (five years), Le Nguyen Sang, leader of the People's Democratic Party (PDP), (five years), Nguyen Bac Truyen (four years), Huynh Nguyen Dao (three years), the Hoa Hao Buddhists Duong Thi Tron (six years), Le Van Soc (six years) and Nguyen Van Thuy (five years), Nguyen Van Tho (four years), Thich Huyen Quang, Patriarch of the Unified Buddhist Church of Vietnam, Thich Quang Do and Bui Thi Kim Thanh.</p>	
<b>ZIMBABWE</b>	<b>Gift Tandare</b>	This opposition activist was shot. His body was snatched and secretly buried without his family's knowledge.	<p>In its resolution adopted on 26 April 2007, the European Parliament strongly condemned the Mugabe dictatorship for its relentless oppression of the Zimbabwean people, opposition parties and civil society groups and its destruction of the Zimbabwean economy, which has deepened the misery of millions of Zimbabweans.</p>
	<b>Itai Manyeruke</b>	He died a day after being severely beaten up by the police.	
	<b>Edmore Chikomba</b>	He deceased on 30 March 2007.	
	<b>Morgan Tsvangirai</b>	Chairman of the Movement for Democratic Change (MDC) and opposition leader. He was arrested on 28 March 2007 and subject to brutal treatment by the police forces.	
	<b>Ian Makone</b>	This opposition activist, special adviser to Morgan Tsvangirai, was put in detention.	
	<b>Nelson Chamisa</b>	He was attacked on his way to Harare airport, where he was to take a flight to attend the meetings of the Joint Parliamentary Assembly (ACP-EU JPA).	
	<b>Nelson Chamisa,</b> <b>Grace Kwinjeh,</b> <b>Lovemore Mdhuku,</b> <b>William Bango,</b>	These opposition leaders were arrested and subjected to brutal treatment by the police forces and prohibited to seek medical treatment outside Zimbabwe.	

	<b>Sekai Holland, Tendai Biti, Arthur Mutambara</b>		
	<b>Raymond Majongwe</b>	The human rights defender, Secretary General of the Progressive Teachers' Union of Zimbabwe (PTUZ) and his wife Loice Majongwe were harassed on 1 February 2007 by police officers in Harare	A letter of concern was sent on 21 February 2007.

**B) UPDATES OF CASES RAISED BY THE EUROPEAN PARLIAMENT IN THE PREVIOUS ANNUAL REPORT BETWEEN APRIL 2006 AND MARCH 2007**

<b>NAME</b>	<b>BACKGROUND</b>	<b>ACTIONS TAKEN BY THE EUROPEAN PARLIAMENT</b>	<b>UPDATE ON 2007</b>
<b>BANGLADESH</b>			
<b>Salah Uddin Shoaib Choudhury</b>	Journalist and director of the newspaper "Weekly Blitz", which promotes dialogue among the religions and for the recognition of Israel. He was arrested on 29 November 2003 and released 17 months later. Nevertheless he is still in danger of being sentenced to death at his trial for sedition, which was due to open on 13 November 2006.	In its resolution of 15 November 2006, the European Parliament called for the review of his trial and for his release. The charges against him are contrary to all standards of international law and to all conventions on violations of press freedom. The resolution was also deploring recent acts of violence and strongly condemned the physical attacks on journalists, NGO staff, trade unionists and others. The resolution also expressed disapproval regarding the violence related to the forthcoming general elections and the transition.	Since his release from prison he was called to appear before the authorities for 36 times in the 31 months. Every time he risks potential re-incarceration. He was awarded the Monaco Media Forum Prize 2007.
<b>BULGARIA</b>			
<b>Michael Shields</b>	An 18 years-old British citizen, subjected to an unfair trial and sent to prison in Bulgaria, in spite of the fact that another person confessed to the crime in question.	A letter of concern was sent on 13 June 2006.	Bulgaria's president Georgi Parvanov declared he would not pardon him but also that the case can be reopened in Bulgaria if "sufficient new evidence" are presented.
<b>ECUADOR</b>			
<b>Mirek Krygier</b>	Polish citizen, imprisoned.	A letter of concern was sent on 15 November 2006.	No information available.
<b>IRAN</b>			
<b>Keyvan Ansari</b>	Prisoner of conscience.	In a resolution adopted on 15 November 2006, the European Parliament raised concerns regarding various human rights violations in	D <sup>f</sup> Keyvan Ansari went on hunger strike on 14 July in protest at their continuing detention. On September 2007 he was

		Iran, including the ill-treatment of political prisoners, the prosecution of juvenile offenders, also concerning the issue of minority rights, freedom of religion and of the press, and women's rights. In the resolution, the Iranian authorities were called on to unconditionally release all prisoners of conscience; these five persons were explicitly mentioned.	sentenced to 3 years and six months imprisonment on charges of threatening National Security.
<b>Keyvan Rafii</b>	Prisoner of conscience.		The hearing of the case of Keyvan Rafi'i, now held in prison was postponed for a fourth time on 29 July. On 20 May, his father, sister and brother had been taken to an Intelligence Ministry facility in Tehran. They were released at around 10pm after lengthy interrogation.
<b>Kheyrollah Derakhshandi</b>	Prisoner of conscience.		Kheyrollah Derakhshandi, held in prison, was severely beaten in March 2007, leaving him with persistent pain in his back and left arm. He is being denied medical care. His 75-year-old father, Mojtaba Derakhshandi, was summoned to appear in court for giving an interview to a news agency about his son's medical condition. He was later released on bail and warned not to speak to the press.
<b>Abolfazl Jahandar</b>	Prisoner of conscience.		Abolfazl Jahandar went on hunger strike on 14 July in protest at their continuing detention. He is said to be protesting at the prison officials' refusal to transfer him to the section for political prisoners. He is also in poor health.
<b>Koroush Zaim</b>	Prisoner of conscience.		He is out of prison, residing in Iran.

<b>Farshid Yadollahi</b>	Lawyers, imprisoned while defending Sufis in Qom.	In its resolution of 15 November 2006, the European Parliament also addressed the freedom of religion and expressed concerns about the arrests of these persons.	They are out of prison but they still face legal problems with the authorities.
<b>Omid Behrouzi</b>			
<b>Ayatollah Sayad Hossein, Kazemeyni Boroujerdi</b>	He was advocating for years that politics and religion should be separated. He was arrested reportedly with more than 400 of his followers.	In its resolution of 16 November 2006, the European Parliament expressed concern for his arrest.	He is still imprisoned, serving a 15 year sentence.
<b>Motjaba Saminejad</b>	Imprisoned journalist/weblogger (reporters without borders).	In its resolution of 15 November 2006, the European Parliament called for the release of all imprisoned journalists and webbloggers.	Out of prison, residing in Iran.
<b>Ahmad Raza Shiri</b>	Imprisoned journalist/weblogger.		Out of prison on suspended sentence.
<b>Arash Sigarchi</b>	Imprisoned journalist/weblogger.		Out of prison, residing in the US.
<b>Manoucher Mohammadi</b>	Student activist, imprisoned.	The European Parliament called for his release, requesting that students should not be barred from higher education due to their peaceful political activities.	Out of prison, residing in the US.
<b>Mausavi Khoini</b>	Human rights defender.	A letter of concern was sent on 20 October 2006.	Still in detention.
<b>Kobra Rahmanpoor</b>	Convicted in January 2002 and is still uncertain about when the sentence is to be executed, if at all.	A letter of concern was sent on 13 July 2006 regarding their case.	Judiciary suspended her execution sentence (she was convicted of murdering her mother in law).
<b>Nazanin Mahabad Fatehi</b>	Convicted in March 2005 for killing one of the three men, who tried to rape her and her cousin.		She was released on 15 January 2007, after the court of appeal declared her innocence. However, she still has to pay compensation of € 25.000.
<b>Fatemeh Hagigat Prozhah</b>	A 35 year old woman who is convicted of killing her temporary husband (Seegheh in Islam). She has alleged that her husband, a drug addict, attempted to rape her 15 year old daughter from a previous		Fatemeh's death sentence was confirmed.

	marriage.		
<b>Delara Darabi</b>	She broke into a house with her partner, allegedly killed the woman, whose house she and her partner broke into. She denied the crime but she is still imprisoned, on death row. On 20 January she attempted suicide in her cell. She was a minor (17 years old) when she committed the crimes in question.		Her death sentence has been confirmed by the Iranian Supreme Court and her execution may be imminent. Her attorney is intending to appeal the verdict. In January 2007, Delara attempted suicide. Delara's physical and emotional health is still unstable.
<b>Sa'id Masouri</b>	Sentenced to death and awaiting execution, she has been held in solitary confinement in Section 209 of Evin Prison since late 2004.	With regards to their case a letter of concern was sent on 17 May 2006.	No further information received.
<b>Khaled Hardiani</b>	Sentenced to death and on death row, involved in hijacking a plane in 2001.		Pardoned after being convicted of endangering national security (in relation to the hijacking plot).
<b>Farhang Pour Mansouri</b>	Sentenced to death and on death row, involved in hijacking a plane in 2001.		No further information received.
<b>Shahram Pour Masori</b>	Sentenced to death as a minor and on death row, involved in hijacking a plane in 2001.		No further information received.
<b>ISRAEL</b>			
<b>Ziyad Hmeidan</b>	Student and human rights defender, detained by Israeli authorities without charges or trial since 23 May 2005.	A letter of concern was sent on 20 July 2006.	He was released on 18 March 2007.
<b>NORTH KOREA</b>			
<b>Son Jong Nam</b>	He is a Christian believer. He was reportedly tortured by the National Security Agency, and was then sentenced to death for alleged treason without a trial and without procedural safeguards required under international human rights law.	In a resolution adopted on 15 June 2006, the European Parliament urged the government of the DPRK to provide information on his case and not to proceed with his execution	No further information received.

<b>RUSSIA</b>			
<b>Mikhael Khodorkovsky</b>	Russian citizen, successful businessman and philanthropist, convicted after an unfair trial and subjected to difficult prison conditions; detained in a prison in Siberia.	With regards to their case, a letter of concern was sent on 22 November 2006.	On February 5, 2007, the Kremlin brought additional charges against him to ensure that he would not be released from prison in October 2007, when he would have been eligible for parole after having served half of his original sentence.
<b>Platon Lebedev</b>	Russian citizen convicted after an unfair trial and subjected to difficult prison conditions. Suffers from serious health problems.		Lebedev is currently serving his sentence in a remote area of Siberia.
<b>Anna Politkovskaya</b>	Journalist, murdered on 7 October 2006. A highly respected investigative reporter, known as the symbol of honest journalism in Russia, she was awarded many prizes, among others the Prize Olof Palme. She courageously stood up defending human life and dignity. She exposed and objectively reported on various forms of crimes against humanity, especially in Chechnya.	In its resolution of October 2006, the European Parliament paid tribute to her work and merits. The European Parliament called on the Russian authorities to conduct an independent and efficient investigation to find and punish those responsible for this cowardly crime. The President of the Parliament also expressed his concerns regarding the issue in a letter of concern. In November 2006, a hearing took place on the Subcommittee on Human Rights on Human rights defenders in Russia. At the EU-Russia Summit, the European Union insisted that Russia must respect human rights in every field of the EU-Russia cooperation.	The European Parliament nominated her posthumously for the 2007 Sakharov Prize.  The room for press conferences in Brussels was named after her.
<b>SYRIA</b>			

<b>Anwar al Bunni</b>	Following an unfair trial that appeared to be politically driven, Anwar al-Bunni was sentenced by Damascus Criminal Court on 24 April 2007 to a five-year prison term on charge of “spreading false information harmful to the state”. He is serving his sentence in a mixed ward with criminal prisoners in ‘Adra prison.	In its resolution of 15 June 2006, the European Parliament urged Syrian authorities to reconsider all cases of political prisoners and to release immediately all prisoners of conscience. The Parliament also requested that all detained or imprisoned persons be given prompt, regular and unrestricted access to their lawyers, doctors and families. The European Parliament pointed out that respect for human rights constitutes a vital component of any future EU-Syria Association Agreement and called on Syria to respect its commitments within the framework of the Barcelona Process and along the lines of the European Neighbourhood Policy. In May 2006 several civil	Following his conviction Anwar al-Bunni was also brought to trial before Damascus Military Court on charges of “slandering a public administration”, Article 376 of the Syrian Penal Code. His new charge appears to be related to a memo he wrote and presented months ago as part of his defence and in which he criticised the Syrian Minister of Social Affairs and Labour as well as the Syrian Prisoners’ Association. The memo was found in his cell at prison during prison guards’ inspection. Anwar al-Bunni’s next military trial session is on 7 February 2008.
<b>Michel Kilo</b>	Writer, released on 19 October 2006, but he was brought before the Criminal Court in Damascus again on 31 October 2006 to face new charges.	society activists were arrested and tortured because of signing a petition for improving the Syrian-Lebanese relations in view of the UN Security Council Resolution n° 1680. There were also some of these persons among those arrested.	His trial was postponed, for the second time, to 19 February 2007. He was sentenced on 13 May 2007 to three years in prison for "undermining national sentiment".
<b>Kamal Al-Labwani</b>	On 10 May 2007 Damascus Criminal Court sentenced him to 12 years imprisonment following an unfair trial. The charge relates to Kamal al-Labwani’s visit to Europe and the USA in 2005 where he met human rights organisations and government officials and called for a process of peaceful democratic reform in Syria.		Kamal al-Labwani is serving his sentence in ‘Adra prison in mixed ward with criminal prisoners. He may face additional prison terms of between three and five years. This measure against Kamal al-Labwani appears to be based on his criticism of the Syrian government in a document he wrote and presented in his defence at the final trial session on 10 May 2007.
<b>Mahmoud Issa</b>	Civil society activist. Mahmoud 'Issa's charges relate to his involvement in Beirut-Damascus Declaration, a petition signed by some 300		On 13 May 2007 Mahmoud ‘Issa was found guilty of “weakening nationalist sentiment” and was

	Syrian and Lebanese nationals calling for the normalization of relations between their two countries.		sentenced to three years imprisonment. He is kept in a mixed ward with criminal prisoners. It is alleged that charges against him have no legal basis.
<b>Professor Suleiman Shummar</b>	Civil society activist, detained for signing the above-mentioned petition.		Suleiman Shummar was sentenced in absentia to ten years in jail on charges of "weakening nationalist sentiment" and "exposing Syria to hostile acts".
<b>Muhammad Mahfud</b>	Civil society activist, detained for signing the above-mentioned petition.		Muhammad Mahfud was released on bail of 1,000 Syrian Lira (US \$20) from 'Adra prison on 25 September 2006. All charges against him were dropped.
<b>Mahmoud Meri'i</b>	Civil society activist, detained for signing the above-mentioned petition.		Mahmoud Meri'i was freed on 17 July 2006, on payment of 1,000 Syrian Lira (US\$20) bail.
<b>Yasser Melhem</b>	Civil society activist, detained for signing the above-mentioned petition.		No further information received.
<b>Omar Adlabi</b>	Civil society activist, detained for signing the above-mentioned petition.		No further information received.
<b>TURKEY</b>			
<b>Behic Asci</b>	Lawyer, started a hunger strike on 5 April 2005 to show solidarity with the political prisoners subjected to poor Turkish prison conditions. On 22 January 2007, after 293 days, he stopped the strike, but announced his intention to resume it later.	A letter of concern was sent on 15 November 2006.	Behic Asci did not resume his hunger strike, he is recovering at his home.
<b>Michal Majeovski</b>	Polish citizen arrested in July 2006. He was a minor when committing the crime and the punishment was	A letter of concern was sent on 28 September 2006.	No further information received.

	disproportionate.		
<b>Jonathan Sugden</b>	Well-known expert on Turkey, detained by Turkish security forces and was subjected to deportation.	A letter of concern was sent on 24 April 2006.	Jonathan Sugden is now able to travel to Turkey.
<b>UNITED STATES OF AMERICA</b>			
<b>Pablo Ibar</b>	Spanish citizen found guilty of murder and condemned to death by the Court of Florida in 2000. On 9 March 2006, the Supreme Court reaffirmed his conviction and refused to grant him a new trial.	A letter of concern was sent on 26 April 2006.	Still on death row.
<b>Allen W. Bridgers</b>	Sentenced to death, on death row	A letter of concern was sent on 6 July 2006.	Still on death row.
<b>UZBEKISTAN</b>			
<b>Umida Niazova</b>	Umida Niazova was a human rights defender and translator of Human Rights Watch's office in Tashkent. She was sentenced to seven years in prison.	Letters of concern were sent in January and April 2007.	On 08 May 2007, her sentence was commuted to seven-year suspended sentence. Under the term of the commuted sentenced she was obliged to regularly report to the neighbourhood police.
<b>YEMEN</b>			
<b>Ali Al-Dailami</b>	Ali al-Dailami, Executive Director of the Yemeni Organization for the Defence of Democratic Rights and Freedom was reportedly being held incommunicado and subjected to ill-treatment since his arrest and detention on 9 October 2006.	A letter of concern was sent on 26 October 2006.	He was released in November 2006, one month after his arrest.
<b>VIETNAM</b>			
<b>Nguyen Van Ly</b>	Catholic priest and co-editor of the underground online magazine Tu do Ngôn luan (Free Speech). He was imprisoned from May 2001 to early 2005. He was arrested again on 19 February 2007 and is currently under house	A letter of concern was sent on 27 July 2006.	His support for the "Manifesto on Freedom and Democracy for Vietnam" has led to his sentence on March 30, 2007 for an additional eight years in prison.

	arrest.		
<b>Nguyen Gia Thieu</b>	Sentenced to 20 years of imprisonment and a fine of 25 million USD.		He is still detained.

## LIST OF RESOLUTIONS

List of resolutions adopted by the European Parliament between January 2007 and December 2007, and relating directly or indirectly to human rights violations in the world

(<http://www.europarl.europa.eu/comparl/afet/droi/others/default.htm>)

Country	Date of adoption of resolution
<b><u>AFRICA</u></b>	
CHAD	13.12.07
ETHIOPIA	21.06.07
GUINEA	15.02.07
NIGERIA	15.03.07 ; 24.05.07
SOMALIA	15.11.07
SUDAN	15.02.07 (Darfur) ; 24.05.2007 ; 12.07.07 (Darfur) ; 25.10.07
ZIMBABWE	26.04.07
The financing of the Special Court in Sierra Leone	06.09.07
EU partnership in the Horn of Africa	10.05.07
State of play of EU-Africa relations	25.10.07
<b><u>AMERICA</u></b>	
CUBA	21.06.07
GUATEMALA	15.03.07
VENEZUELA	24.05.07
Murder of women in Mexico and Central America	11.10.07
SWIFT, the PNR agreement and the transatlantic dialogue on these issues	14.02.07
Transportation and illegal detention of prisoners	14.02.07
<b><u>ASIA</u></b>	
BANGLADESH	06.09.07
BURMA (MYANMAR)	21.06.07 ; 06.09.07 ; 27.09.07
CAMBODIA	15.03.07
CHINA	13.12.07
INDIA	01.02.07
KASHMIR	24.05.07
PAKISTAN	12.07.07 ; 25.10.07 ; 15.11.07

Country	Date of adoption of resolution
PHILIPPINES	26.04.07
UZBEKISTAN	15.11.07
TIBET	15.02.07
VIETNAM	12.07.07
Comfort women during world war II (Japan)	13.02.07
<b><u>EUROPE</u></b>	
MOLDOVA	12.07.07
RUSSIA	15.02.07 ; 26.04.07 ; 10.05.07 ; 14.11.07
TURKEY	24.10.07
Women in Turkey	13.02.07
Attack on Galina Kozlova	15.03.07
<b><u>MIDDLE EAST</u></b>	
IRAN	25.10.07
PALESTINE ( GAZA)	11.10.07
SYRIA	24.05.07
The humanitarian situation of Iraqi refugees	15.02.07 ; 12.07.07
Women's rights in Saudi Arabia	13.12.07
Kidnapping in Gaza of the journalist Alan Johnston	26.04.07
Death sentence imposed on medical personnel in Libya	18.01.07
Middle East	12.07.07
EU strategy for reform in the Arab world	10.05.07
<b><u>MISCELLANEOUS</u></b>	
EU Human rights dialogues and consultations on human rights with third countries	06.09.07
Universal moratorium on the death penalty	01.02.07 ; 26.04.07 ; 27.09.07
United Nations Human Rights Council	07.06.07
Christian Communities	15.11.07
Annual report on Human Rights in the World 2007 and the EU's policy on the matter.	26.04.07
10th anniversary of the Mine Ban Treaty (Ottawa Convention)	13.12.07

4.3.2008

## **OPINION OF THE COMMITTEE ON DEVELOPMENT**

for the Committee on Foreign Affairs

on the Annual Report on human rights in the world 2007 and the EU's policy on the matter (2007/2274(INI))

Draftsman: Thijs Berman

### **SUGGESTIONS**

The Committee on Development calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Calls on the Council and the Commission to ensure that a human rights-based approach to development is effectively applied, which means adherence to five core principles: application of the international human rights framework, empowerment of rights-holders, participation in development, non-discrimination and a focus on vulnerable groups, and accountability;
2. Welcomes the Commission's efforts to promote human rights, democracy, and good governance within the framework of the Development Cooperation Instrument (DCI); insists that these issues need to be integrated as cross-cutting issues in all programmes, and calls for specific objectives, benchmarks and indicators in all Country, Regional and Thematic Strategy Papers as well as Annual Action Programmes;
3. Calls on the Commission to put a particular emphasis on the integration of human rights aspects in the Annual Action Programme for China to be presented in 2008;
4. Recalls the Millennium Development Goals, and stresses that access to education and health are basic human rights; believes that health programmes, including sexual and reproductive health, promotion of gender equality, empowerment of women and rights of the child should be prominent in the EU's development and human rights policy, in particular where gender-based violence is pervasive and women and children are put at risk of HIV/AIDS, or denied access to information, prevention and/or treatment;

5. Calls on the Commission to integrate core labour rights and the decent work agenda in its development policy, in particular in trade-related assistance programmes;
6. Insists that the EU's policy be coherent with human rights principles in all policy areas, including trade, agriculture, fisheries, migration, and arms trade policies; stresses that during the negotiations on the Economic Partnership Agreements with ACP countries, possible adverse affects on human rights, in particular economic and social rights, must be taken into account;
7. Welcomes the Africa-EU Partnership on Democratic Governance and Human Rights in the Joint Africa-EU Strategy; calls not only on the EU but also on the AU to maintain their respective commitments to human rights, by systematically integrating a human rights-based approach in the African Peer Review Mechanism and by strengthening regional human rights institutions, in particular the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights;
8. Notes that although numerous peace and international mediation processes have been initiated by the international community, several African countries suffer from armed conflicts, in which civilians continue to face attacks and are inadequately protected by their governments; recalls in particular the situation in Sudan/Darfur where grave violations of human rights continue to occur; stresses the international community's responsibility to protect, and stresses that States involved in a country's conflict through large trade-related investments have a special responsibility towards the population in that country;
9. Stresses the importance of a rapid deployment of EUFOR troops in Chad to stabilise the region, ensure the protection of the humanitarian space and protect civilians; insists that the EU and its Member States exert their influence on the authorities of Chad and call for the fulfilment of the country's international and regional humanitarian and human rights obligations; requests in particular that all opposition leaders detained for solely political reasons be released without delay;
10. Stresses the need to maintain the EU's crucial EU support for the mediation efforts led by Mr Kofi Annan in Kenya; emphasises the need to keep all parties involved in finding acceptable solutions in developing a post-election strategy aimed at reconciliation, prevention of ethnic cleansing and the return of all internally displaced persons to their place of origin;
11. Recalls that in situations of fragility and lack of stable institutions, human rights are often not respected or at risk; therefore urges the Council and the Commission to accelerate the process of defining a comprehensive strategy for dealing with fragile States, based on experiences in Sudan, Afghanistan, Zimbabwe, Democratic Republic of Congo, and Kenya;
12. Calls on the European Union and the Member States to ensure that efforts of stabilization, peace-building and protection of civilians in Afghanistan will be maintained and adequately resourced as long as needed, including the commitment of troops backed by the necessary mandate and equipment; warns that the price of failure in Afghanistan would be inordinately high in terms of human rights, particularly for women's rights; emphasises that long-term improvement of civilian institutions is vital

for reconstruction and reconciliation.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	3.3.2008
<b>Result of final vote</b>	+: 19 -: 0 0: 0
<b>Members present for the final vote</b>	Thijs Berman, Danutė Budreikaitė, Ryszard Czarnecki, Nirj Deva, Alain Hutchinson, Romana Jordan Cizelj, Glenys Kinnock, Luisa Morgantini, Horst Posdorf, Pierre Schapira, Frithjof Schmidt, Jürgen Schröder, Johan Van Hecke
<b>Substitute(s) present for the final vote</b>	John Bowis, Fiona Hall, Manolis Mavrommatis, Csaba Öry, Ralf Walter
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	Glyn Ford

27.3.2008

## **OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS**

for the Committee on Foreign Affairs

on the Annual Report on Human Rights in the World 2007 and the European Union's policy on the matter  
(2007/2274(INI))

Draftsman: Giusto Catania

### **SUGGESTIONS**

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- A. whereas the EU Annual Report on Human Rights in the World 2007 concentrates mainly on activities outside the Union and lacks a similar, comprehensive description of human rights activities and problems inside the Union,
- B. whereas the European Union Agency for Fundamental Rights (the Agency) was established on 1 March 2007 in Vienna and represents a first step in responding to Parliament's call for the establishment of an integrated framework of rules and institutions designed to confer binding force on the Charter of Fundamental Rights of the European Union and to ensure compliance with the system provided for under the European Convention for the Protection of Human Rights and Fundamental Freedoms, as well as to work out a comprehensive EU policy on the rights of minorities; whereas it is important to emphasise that the mandate of the Agency also covers those countries which have concluded stabilisation and association agreements with the EU;
- C. whereas the incorporation of the Charter of Fundamental Rights into the new Treaty and the fact that it is binding in nature are to be welcomed, even if the Charter is not binding in some Member States,
- D. whereas Parliament should continue to cooperate with the Council of Europe on the protection of human rights,

1. Calls on the Council to analyse in its future Annual Reports on Human Rights in the World the situation of human rights in the world jointly with the assessment of the actual human rights situation in each Member State on the basis of the Agency's annual report; the joint analysis would evidence the Union's equal commitment to the protection of human rights both inside and outside its borders, so as to prevent any double standards;
2. Urges the Council to transform its ad hoc working group on fundamental rights and citizenship into a standing Working Party, which could work in parallel with the Working Party on Human Rights (COHOM), and urges the Commission to assign a portfolio on human rights and fundamental freedoms to a single Commissioner;
3. Is concerned about the fact that international cooperation in the fight against terrorism has often resulted in a lowering of the level of protection for human rights and fundamental freedoms, and believes that the EU should take stronger action at the international level to promote a strategy based on full respect for international standards and obligations in the human rights field;
4. Urges the EU institutions and the Member States to implement the recommendations contained in its resolution of 14 February 2007 on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners<sup>1</sup>, which are aimed at unravelling the role of the Member States in the illegal practice of extraordinary rendition and ensuring that the Union and the Member States will no longer be involved in similar breaches of human rights in future;
5. Recalls its resolutions highlighting human rights abuses at the Guantánamo Bay detention centre and urges the EU institutions and Member States to continue their actions aimed at the closure of that detention centre on the grounds that its very existence continues to send out a negative signal as to how the fight against terrorism should be pursued; therefore calls on the Council and the Commission to promote an international initiative whereby the United States government would agree in accordance with international law that detainees would be either given a fair trial, or released, offered refugee status and found safe havens, which could be in the US or elsewhere, so as to avoid their being repatriated to countries where they would face a real risk of torture or persecution;
6. Encourages the EU to adopt a more holistic and integrated approach in addressing torture and not to regard it as an isolated issue; calls on the EU to take into consideration a wide spectrum of possible measures aimed at fighting torture, including prevention, assistance to victims and the fight against impunity; also calls on the Member States to allocate sufficient resources for the support and rehabilitation of torture victims;
7. Encourages the EU to continue strengthening the single area of security, freedom and justice, through which it will be possible, with a single immigration policy, to achieve the optimum protection of the rights of third country nationals arriving on EU territory, and notes that, in some Member States, the provisions concerning the area of security, freedom and justice are not binding;

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<sup>1</sup> OJ C 287 E, 29.11.2007, p. 309.

8. Takes note of the new legislative packages in the area of legal migration, border control and illegal employment; maintains that the EU should introduce a common migration policy focusing on migrants' rights, opportunities for legal immigration and the combating of human trafficking rings;
9. Regrets that no analyses have been carried out of the situation in respect of human rights as they relate to migration within the EU;
10. Asks the Member States to ensure full respect for the human rights and fundamental freedoms of asylum-seekers and immigrants, regardless of their legal or illegal status on EU soil, which is a precondition for ensuring a credible EU human rights policy both inside and outside the EU;
11. Recalls that the purpose of creating a common asylum policy must be the protection of the individual, and not the reduction or externalisation of asylum applications to third countries with poor human rights records;
12. Calls on the Member States to improve their asylum policies so that they include women at risk of genital mutilation and to eliminate all violence related thereto;
13. Deprecates the arguments put forward by some Member States based on traditional, cultural or religious values of any kind in order to evade their obligation to eliminate violence against women, in particular violence related to female genital mutilation;
14. Considers that empowering women by ensuring full access to sexual and reproductive health information, services and supplies would put them in a better position to negotiate safe sex and protect themselves from sexually transmitted diseases, including HIV/AIDS;
15. Calls on the Commission and the Member States to promote the implementation of information campaigns on gender equality and combating gender violence and discrimination against women;
16. Calls on the Council and the Commission to include in their policies measures to ensure the protection of children's rights and to undertake to combat trafficking in children and all forms of exploitation, including child labour;
17. Draws attention to the discrimination and violent persecution suffered on the grounds of sexual orientation in some countries; calls on the EU institutions and the Member States to root out and take legal action against all forms of discrimination based on sexual orientation and gender identification within the EU;
18. Expresses its grave concern over the situation of third-country nationals applying for refugee status on the grounds of sexual orientation, such as Mehdi Kazemi and Pegah Emambakhsh, who are at risk of being repatriated from the UK to Iran and of being executed; recalls that expulsion of persons to a third country where they would be at risk of persecution, torture or death is a violation of European and international human rights obligations; asks the EU institutions and Member States concerned to find a solution to ensure that these two persons are not repatriated to Iran, and to monitor and evaluate the application of EU asylum law in the Member States; asks the Commission

to address and resolve these issues through its forthcoming amendments to Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national<sup>1</sup> and Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted<sup>2</sup>;

19. Calls on the Presidencies of the Council to organise the NGO Human Rights Forum in such a way as would allow civil society and the EU institutions also to hold in-depth discussions on human rights protection issues within the Member States;
20. Welcomes the extension of the ordinary legislative procedure (former codecision procedure) in the Treaty of Lisbon to more areas in the field of justice, freedom and home affairs, whereby Parliament will have a greater role in matters affecting the protection of human rights inside and outside the EU;
21. Calls on the Council and the Commission to facilitate the development of European Neighbourhood Policy (ENP) mechanisms, as the ENP has a significant impact on the protection and promotion of human rights, on the rule of law and democratic reform, on dissemination of the values of human rights and on increasing capacity in this regard;
22. Calls on the Member States to continue to defend and promote fundamental rights outside the EU.

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<sup>1</sup> OJ L 50, 25.2.2003, p. 1.

<sup>2</sup> OJ L 304, 30.9.2004, p. 12.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	26.3.2008
<b>Result of final vote</b>	+: 32 -: 2 0: 0
<b>Members present for the final vote</b>	Alexander Alvaro, Philip Bradbourn, Giusto Catania, Carlos Coelho, Esther De Lange, Panayiotis Demetriou, Gérard Deprez, Agustín Díaz de Mera García Consuegra, Bárbara Dührkop Dührkop, Armando França, Urszula Gacek, Patrick Gaubert, Lilli Gruber, Jeanine Hennis-Plasschaert, Ewa Klamt, Wolfgang Kreissl-Dörfler, Stavros Lambrinidis, Henrik Lax, Roselyne Lefrançois, Sarah Ludford, Rareş-Lucian Niculescu, Inger Segelström, Vladimir Urutchev, Ioannis Varvitsiotis, Manfred Weber
<b>Substitute(s) present for the final vote</b>	Edit Bauer, Ignasi Guardans Cambó, Sophia in 't Veld, Metin Kazak, Jean Lambert, Jörg Leichtfried, Siiri Oviir, Nicolae Vlad Popa
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	Tobias Pflüger

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	2.4.2008
<b>Result of final vote</b>	+: 60 -: 0 0: 3
<b>Members present for the final vote</b>	Roberta Alma Anastase, Bastiaan Belder, André Brie, Elmar Brok, Colm Burke, Marco Cappato, Philip Claeys, Giorgos Dimitrakopoulos, H�el�ene Flautre, Hanna Foltyn-Kubicka, Michael Gahler, Bronisław Geremek, Maciej Marian Giertych, Alfred Gomolka, Klaus H�ansch, Richard Howitt, Jana Hyb�askov�a, Anna Ibrisagic, Jelko Kacin, Ioannis Kasoulides, Metin Kazak, Maria Eleni Koppa, Helmut Kuhne, Johannes Lebech, Francisco Jos�e Mill�an Mon, Pasqualina Napoletano, Annemie Neyts-Uyttebroeck, Baroness Nicholson of Winterbourne, Raimon Obiols i Germ�a, Vural �ger, Ria Oomen-Ruijten, Cem �zdemir, Justas Vincas Paleckis, B�atrice Patrie, Alojz Peterle, Hubert Pirker, Samuli Pohjamo, Michel Rocard, Ra�l Romeva i Rueda, Libor Rou�ek, Christian Rovsing, Katrin Saks, Jos�e Ignacio Salafranca S�nchez-Neyra, Jacek Saryusz-Wolski, Gy�rgy Sch�opflin, Charles Tannock, Inese Vaidere, Ari Vatanen, Kristian Vigenin, Zbigniew Zaleski, Josef Zieleniec
<b>Substitute(s) present for the final vote</b>	Laima Liucija Andrikien�, Giulietto Chiesa, �rp�d Duka-Z�olyomi, Milan Hor�a�ek, Marie Anne Isler B�guin, Georg Jarzembowski, Tunne Kelam, Doris Pack, Antol�n S�nchez Presedo, Inger Segelstr�m, Csaba S�ndor Tabajdi, Luis Ya�nez-Barnuevo Garc�a