JOINT MOTION FOR A RESOLUTION

pursuant to Rule 115(5) of the Rules of Procedure, by

– José Manuel García-Margallo y Marfil, Fernando Fernández Martín, Tunne Kelam, Eija-Riitta Korhola, Bernd Posselt, Charles Tannock on behalf of the PPE-DE Group
– Pasqualina Napoletano, Raimon Obiols i Germà on behalf of the PSE Group
– Renate Weber, Josu Ortuondo Larrea, Marco Cappato, Marios Matsakis on behalf of the ALDE Group
– Cristiana Muscardini, on behalf of the UEN Group

replacing the motions by the following groups:

– ALDE (B6-0629/2008)
– PSE (B6-0631/2008)
– UEN (B6-0637/2008)
– PPE-DE (B6-0644/2008)

on the attacks on human rights activists, civil liberties and democracy in Nicaragua
European Parliament resolution on the attacks on human rights activists, civil liberties and democracy in Nicaragua

The European Parliament,

– having regard to the Universal Declaration of Human Rights of 1948,

– having regard to the International Pact on Civil and Political Rights of 1966,

– having regard to the Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other part, of 2003 and to the Framework Cooperation Agreement between the European Economic Community and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama¹,

– having regard to the EU guidelines concerning human rights activists,

– having regard to the reports of the EU expert team on the municipal elections of 9 November 2008,

– having regard to the statements of Commissioner Ferrero-Waldner on the events in Nicaragua following the municipal and regional elections of 9 November,

– having regard to the negotiations under way for the signature of an Association Agreement between the EU and the countries of Central America,

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

A. having regard to the issue of possible fraud over the results of the municipal elections of 9 November 2008 raised in the reports of the EU expert team, which highlight the unwillingness of the Nicaraguan authorities to hold a genuinely democratic vote; having regard to the accompanying violence, targeted in particular on the media, and to the resultant polarisation and conflicts,

B. whereas the UN, the EU, the US and several Nicaraguan NGOs have expressed concern over the transparency of the elections,

C. having regard to the resolutions of the Supreme Electoral Council of 11 June 2008 which annulled the legal personality of the Sandinista Renewal Movement (MRS) and declared that the Conservative Party (PC) did not meet the prerequisites for contesting the November 2008 municipal elections, thanks to which those two parties were unable to participate,

D. having regard to the repeated attacks and harassment which have been inflicted for some months now on the human rights organisations and their members, as well as on journalists and media representatives, by individuals, political forces and bodies linked to the state authorities,

E. having regard to the proposal of the Nicaraguan Vice-Minister for Cooperation for a 'joint taxation' mechanism in respect of the financial support received by the NGOs and to the investigation of diverse NGOs for supposed non-fulfilment of legal requirements, as in the case of the charges of 'triangulation of funds' against 17 human rights organisations,

F. having regard to the criminal investigations against those defending sexual and reproductive rights, including those who have supported a girl who had been raped and was given an abortion in order to save her life at a time when therapeutic abortion was not a criminal offence,

G. having regard to the press communiqué of the EU-27 of 22 October 2008 concerning human rights activists and organisations,

H. whereas the development and consolidation of democracy and the rule of law, as well as respect for human rights and fundamental freedoms, must be an integral part of the EU's foreign policy,

I. whereas the EU and its partners, when subscribing to agreements with third countries that include a human rights clause, are assuming responsibility for ensuring compliance with international human rights standards, and whereas such clauses are reciprocal by nature,

J. having regard to the sixth round of negotiations for the EU-Central America Association Agreement, to be held in Brussels on 26 and 27 January 2009,

K. having regard to the conditions of severe poverty into which Nicaragua has fallen over the last two decades,

1. Regrets deeply the way in which the local elections of 9 November were conducted, and believes that the results lack all democratic legitimacy;

2. Regrets the fact that the climate of suspected fraud in some municipalities has provoked demonstrations and clashes between supporters of different parties, leaving a number of people injured and aggravating an already profound political crisis;

3. Calls on the government of Nicaragua to take urgent measures to pacify the situation created, and asks the Nicaraguan authorities to respect the work of the human rights organisations;

4. Regrets the numerous attacks and acts of harassment to which human rights organisations and their members, independent journalists and the representatives of the Commission delegation in Nicaragua have been subjected to in the last few months, on the part of individuals, political forces and bodies linked to the state;

5. Calls on the political parties to condemn their supporters' acts of violence;
6. Regrets the fact that two political parties were unable to take part in the local elections, and expresses its concern regarding the progress of democratic consolidation and governance in Nicaragua, especially with respect to the processes of inclusion and active participation;

7. Urges the Nicaraguan government and the state authorities to protect freedom of expression and the independence of the judiciary and thus ensure preservation of their country's democratic bases, and to ensure that as soon as possible Nicaragua ratifies the Rome Statute setting up the International Criminal Court;

8. Welcomes the press release by the EU-27 of 22 October 2008, condemning the attacks on human rights activists and organisations;

9. Recalls that in the negotiations on the Association Agreement between the EU and the countries of Central America Nicaragua must be reminded of the need to respect the principles of rule of law, democracy and human rights, as defended and promoted by the EU;

10. Calls on the Nicaraguan government to repeal the criminalisation of therapeutic abortion in cases where the mother's life is at risk;

11. Calls on the EU Member States to ensure that the situation in Nicaragua is placed on the agenda of all meetings with the Nicaraguan authorities, whether bilateral or multilateral;

12. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the Organization of American States, the Euro-Latin American Parliamentary Assembly, the Central American Parliament, and the Government and Parliament of the Republic of Nicaragua.