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MOTION FOR A RESOLUTION

further to the Council and Commission statements

pursuant to Rule 37(2) of the Rules of Procedure

by Elmar Brok

on behalf of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

on reinvigorating EU actions on human rights and democratisation with Mediterranean partners

European Parliament resolution on reinvigorating EU actions on human rights and democratisation with Mediterranean partners

The European Parliament,

- having regard to the Barcelona Declaration, the work programme adopted on 28 November 1995, and the recent positive developments in the Euro-Med process,
 - having regard to its earlier resolutions on Mediterranean policy and the Middle East,
 - having regard to its resolution on Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours¹,
 - having regard to the Communication from the Commission to the Council and the European Parliament on ‘Reinvigorating EU actions on human rights and democratisation with Mediterranean partners’ (COM(2003) 294),
 - having regard to Regulation EC No 975/1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms,
 - having regard to regulation EC No 976/1999 laying down the requirements for the implementation of Community operations, which, within the framework of Community cooperation policy, contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms in third countries,
 - having regard to the Conclusions of the European Council (Thessaloniki 20 June 2003; Brussels 12 December 2003) on an EU Security Strategy, and on the Arab World,
 - having regard to the Strategy Paper ‘Strengthening the EU’s relations with the Arab World’, delivered by the Commission and the High Representative on 9 December 2003,
 - having regard to the Arab Human Development Reports 2002 and 2003 by the United Nations Development Programme, authored by Arab experts,
 - having regard to Rule 37(2) of the Rules of Procedure,
- A. whereas promoting democracy, human rights, the rule of law and fundamental freedoms are the priorities of the Common Foreign and Security Policy (CFSP),

¹ P5_TA-PROV(2003)0520

- B. whereas the EU should do its utmost to transfer to, and share with, its neighbours the values upon which it is founded,
- C. whereas Europe is surrounded by an arc of instability ranging from fragile New Independent States to the Arab world, where, the UNDP observes, political participation remains weak, as manifested in the lack of genuine representative democracy and restrictions on liberties, while people's aspirations for more gender equality in education, freedom and greater participation in decision-making are the highest in the world today,
- D. whereas an enlarged Europe has an interest in the establishment of a coherent system of relations with the neighbouring countries in the Mediterranean region and the Wider Middle East based on respect for human rights, democracy and the rule of law, and dialogue between cultures and religions,
- E. whereas little tangible progress has been made as regards democracy and human rights in the EU partner countries which are part of the Barcelona process and have negotiated Association Agreements with the EU,
- F. whereas the Commission and High Representative are committed to raising the level of ambition in Europe's relations with the Wider Middle East,
- G. whereas the EU and several of its Member States were the originators of the Sana'a Regional Intergovernmental Conference on democracy, human rights and the role of the International Criminal Court which took place in Yemen from 10 to 12 January 2004 in the presence of all the countries of the region at governmental and parliamentary level and of civil society,
- H. whereas at the end of that Conference the national delegations present adopted the 'Sana'a Declaration', undertaking to ensure that it was implemented and respected in line with the Union's priorities and the guidelines of the European Initiative for Democracy and Human Rights,
- I. whereas a range of instruments are at the EU's disposal in this region, such as the Barcelona process, the ACP framework and evolving cooperation with Iran and the 22 Arab League countries, including Iraq, the Gulf States, Libya and Yemen,
- J. whereas these instruments have not yet been fully used with regard, in particular, to Article 2 (the so-called 'human rights clause') of the Association Agreements, which does not yet have a clear implementing mechanism,
- K. whereas the €100M European Initiative for Democracy and Human Rights (EIDHR) was founded in 1992 by the European Parliament², which until 1998 shared in its management,
- L. whereas the added value of EIDHR is that, uniquely, it can be used without host government consent and in any country, since funds can go directly to autonomous partners, in particular non-governmental and international organisations,

² McMillan-Scott Report PE 153.155

- M. whereas the European Parliament attaches great importance to social and economic development, and whereas it also expects that aid programmes should be conditional on reform, now that democracy and human rights are ‘essential elements’ in third-country agreements,
- N. whereas the establishment of the Euro-Mediterranean Parliamentary Assembly can bring about fresh and genuine dynamics leading to concrete changes as regards the human rights situation in the countries in the region,
- O. whereas the strengthening of, and support for, civil society is a key factor in the development of democracy and respect for human rights,
1. Welcomes the Communication from the Commission to the Council and the European Parliament on ‘Reinvigorating EU actions on human rights and democratisation with Mediterranean partners’ (COM(2003) 294) of May 2003, and expresses its support for its ten priority actions; calls on the Commission to make an annual report on their implementation;
 2. Maintains that civil society should be given a central role in the partnership with the Mediterranean countries and reiterates its call for the implementation of policies aimed at creating a rich social fabric;
 3. Requests that this approach be adopted in and beyond the Mediterranean in line with recent developments, with a special focus on democracy and human rights, as the CFSP requires;
 4. Insists on the necessity for a mid-term review of Article 2 of all association agreements with Mediterranean countries in order to evaluate whether respect for human rights and democratic principles are fully implemented in those agreements;
 5. Recognises, in the context of this new spur to action by the Union, that the EIDHR can only work within the framework of an overall human rights and democratisation policy of the EU and should continue to be systematically and flexibly applied in the Wider Middle East and the neighbouring countries in Wider Europe, in particular given the €17.5M increase in funds voted by it in the 2004 budget, among other things to support and actively encourage the process of acting on the ‘Sana’a Declaration’, and in other countries where host government consent is impossible; and that aid funds are used for promoting democracy and human rights elsewhere;
 6. Requests that the EIDHR now be used within the Wider Europe-Neighbourhood strategy as it was in the context of the Copenhagen political criteria for the accession countries, as part of the measuring mechanism for compliance with human rights and democracy criteria – the ‘essential elements’ clause in third-country agreements;
 7. Expects that the funds available under MEDA for support of democratisation, good governance and civil society activities, which at 477 M€ are a multiple of the funds of the EIDHR at 7 M€, should be fully used and should complement the EIDHR activities;
 8. Recalls that the EIDHR’s original objectives were to promote (i) the concept of

democratic society governed by the rule of law; (ii) the work of non-governmental organisations which promote pluralist democratic society, and (iii) the transfer of specific expertise and technical skills concerning democracy, the rule of law, human rights and free media to professional groups and associations in the countries concerned; and regrets that the programme now has 25 loose objectives and 32 focus countries, some without any identifiable coherence;

9. Regrets that the EIDHR is now vulnerable to bureaucratic constraints, and requests that the Commission put forward proposals for the financing and administration of the EIDHR appropriate to the needs of a flexible, fast-response, occasionally confidential, high-sensitivity programme, possibly following the model of the 2001 Rapid Reaction Mechanism;
10. Notes in this context that Tunisia is continuing to block funding for projects approved in the framework of the EIDHR which benefit independent NGOs, including the Tunisian Human Rights League, and deplores the fact that Tunisia also prevented several representatives of civil society from taking part in the Sana'a Conference;
11. Requests that the possibility of re-engaging an external agency to implement EIDHR programmes should be considered;
12. Requests that the capacity for involving parliaments in third countries, including in the training of parliamentary staff, be reinstated within the EIDHR;
13. Requests that the new Euro-Mediterranean Parliamentary Assembly become an active participant in the debate on follow-up of the EIDHR;
14. Requests that the European Parliament should again take part in the decision-making process on the orientations and objectives of the EIDHR, and also in the evaluation of its results, without, however, becoming involved in the management of projects, in order to provide flexibility, oversight and the necessary political dimension;
15. Calls on its delegation to the Euro-Mediterranean Parliamentary Assembly to find ways to address the question of democracy and human rights in the region at the next meetings of this assembly;
16. Recalls the success of the conference on democracy, human rights and the role of the ICC, organised with EU and Member State sponsorship by the Yemeni government and the NGO No Peace Without Justice on 10-12 January 2004; and commends the 820 participants, including 34 governments, on their adoption of the Sana'a Declaration (at www.npwj.org);
17. Instructs its President to forward this resolution to the Council and the Commission.