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Committee on Development

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PE 362.662v01-00

AMENDMENTS 1-28

Draft opinion

(PE 360.052v01-00)

Fernando Fernández Martín

on the human rights and democracy clause in EU agreements

(2005/2057(INI))

Amendment by Willy Meyer Pleite

Amendment 1

Paragraph 1

1. Points out that human rights are universal and indivisible and that democracy, development and *respect for human rights and cultural difference* are interdependent;

Or. es

Amendment by Willy Meyer Pleite

Amendment 2

Paragraph 2

2. Awaits with great interest the outcome of the September 2005 UN Summit; points out that poverty cannot be fought unless a comprehensive approach is adopted which includes, *together with reforms in favour of the developing countries*, the protection of human rights and the upholding of democratic values;

Or. es

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Amendment by María Elena Valenciano Martínez-Orozco

Amendment 3

Paragraph 2

2. Awaits with great interest the outcome of the September 2005 UN Summit; points out that poverty cannot be fought unless a comprehensive approach is adopted which includes the protection of human rights and the upholding of democratic values ***and principles***;

Or. es

Amendment by Marie-Hélène Aubert on behalf of the VERTS/ALE Group

Amendment 4

Paragraph 2a (new)

- 2a. ***Stresses that the Universal Declaration of Human Rights and the conventions on civil and political rights call for the holding of free and fair elections embodying the free expression of the will of the people as a fundamental right***;

Or. fr

Amendment by Marie-Hélène Aubert on behalf of the VERTS/ALE Group

Amendment 5

Paragraph 2b (new)

- 2b. ***Considers that if elections are to be considered as democratic, free and fair certain prior conditions must be met: respect for political and civic rights, respect for freedom of expression and information, equal access to the public media, and respect for political pluralism with voters being offered a real choice***;

Or. fr

Amendment by Marie-Hélène Aubert on behalf of the VERTS/ALE Group

Amendment 6

Paragraph 3

3. Points out that human rights are an integral part of the EU's external policy and that the democracy and human rights clause is an essential component of agreements with

non-EU countries - both developing and industrialised ones; ***calls for the effective implementation of the clause;***

Or. es

Amendment by Marie-Hélène Aubert on behalf of the VERTS/ALE Group

Amendment 7

Paragraph 4a (new)

4a. *Calls on the Commission and Council to impose transparent and consistent sanctions based on clearly-defined criteria on all third countries failing to respect the human rights clauses, in order to avoid a policy of double standards;*

Or. fr

Amendment by Willy Meyer Pleite

Amendment 8

Paragraph 5

5. *Deleted*

Or. en

Amendment by Marie-Hélène Aubert on behalf of the VERTS/ALE Group

Amendment 9

Paragraph 5a (new)

5a. *Calls on the Commission and Council to adopt concrete, consistent and transparent criteria for evaluating the democratisation process in third countries, including democratic elections, from the viewpoint of respect for human rights, the rule of law and the democratisation of society in general;*

Or. fr

Amendment by Maria Elena Valenciano Martínez-Orozco

Amendment 10

Paragraph 5a (new)

5a. *Calls for a more open procedure in the negotiation phase of agreements, with greater participation of the European Parliament and civil society;*

Or. es

Amendment by Maria Elena Valenciano Martínez-Orozco

Amendment 11

Paragraph 5b (new)

5b. *Calls for the clause to cite a text occupying an important place in the legal pyramid of the signatory country; this should be the subject of an accord before the agreements are signed;*

Or. es

Amendment by Maria Elena Valenciano Martínez-Orozco

Amendment 12

Paragraph 5c (new)

5c. *Recommends that the clause should mention specific UN international human rights instruments, such as the International Pact on Civil and Political Rights, the Convention against Torture, the Convention on the Rights of the Child, the Convention on the Elimination of all forms of Discrimination against Women and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities;*

Or. es

Amendment by Maria Elena Valenciano Martínez-Orozco

Amendment 13

Paragraph 7

7. Urges regional organisations and developing countries, *as well as other third countries with which the EU has agreements*, to commit themselves unreservedly to good governance, to the fight against corruption, to democracy, to constitutional government, to the upholding of human rights and to economic progress, which are all

essential if action taken to eradicate poverty is to be of any benefit;

Or. es

Amendment by José Ribeiro e Castro

Amendment 14

Paragraph 7

7. Urges regional organisations and developing countries to commit themselves unreservedly to good governance, to ***transparency and*** the fight against corruption, to democracy, to constitutional government, to the upholding of human rights and to economic progress, which are all essential if action taken to eradicate poverty is to be of any benefit;

Or. en

Amendment by José Ribeiro e Castro

Amendment 15

Paragraph 7a (new)

- 7a. Stresses the urgent need to support the stabilisation efforts of countries in post-conflict situations;***

Or. en

Amendment by Willy Meyer Pleite

Amendment 16

Paragraph 8

8. Emphasises the importance of ensuring that, in the event of sanctions, local people are penalised as little as possible, by endeavouring to develop to the greatest possible degree a type of aid which directly benefits the people (if necessary via ***the UN or*** NGOs); points out that, in any event, humanitarian aid is politically neutral and must be provided whenever it is needed;

Or. es

Amendment by Willy Meyer Pleite

Amendment 17

Paragraph 9, indent 1

9. - the fact that it contains an explicit reference to international human-rights commitments as essential components of the Agreement (*deletion*);

Or. es

Amendment by José Ribeiro e Castro

Amendment 18

Paragraph 9a (new)

- 9a. *Regrets that Cuba's persistent violations of basic human rights have prevented its accession to the Cotonou Agreement, and condemns Cuba's imprisonment of individuals based on the exercise of their fundamental rights to freedom of expression, association, assembly or movement; calls on Cuba to release persons incarcerated in violation of their rights; and urges Cuba to undertake legal reforms to bring its domestic law into compliance with fundamental international human rights standards;***

Or. en

Amendment by María Elena Valenciano Martínez-Orozco

Amendment 19

Paragraph 9a (new)

- 9a. *Calls for a fuller, better-defined and more detailed procedure for consultation and suspension, so as to facilitate the implementation of the clause;***

Or. es

Amendment by María Elena Valenciano Martínez-Orozco

Amendment 20

Paragraph 10

10. Insists that transparency is one of the principles which must govern any ***consultation or*** sanction procedure and calls for the European Parliament ***and civil society*** to be

involved to a greater extent in such procedures;

Or. es

Amendment by Willy Meyer Pleite

Amendment 21

Paragraph 10

10. Insists that transparency is one of the principles which must govern any *humanitarian aid or* sanction procedure and calls for the European Parliament to be involved to a greater extent in such procedures;

Or. es

Amendment by Willy Meyer Pleite

Amendment 22

Paragraph 13

13. Considers that the ACP countries must remain alert in order to detect at an early stage any cases of human rights violation; considers, furthermore, that those countries should act on their own initiative in identifying and *dealing with* cases of human rights violation;

Or. es

Amendment by María Elena Valenciano Martínez-Orozco

Amendment 23

Paragraph 13

13. Considers that the ACP countries must remain alert in order to detect at an early stage any cases of human rights violation; *recommends*, furthermore, that those countries should act on their own initiative in identifying and punishing cases of human rights violation;

Or. es

Amendment by María Elena Valenciano Martínez-Orozco

Amendment 24

Paragraph 14

14, ***Deleted***

Or. es

Amendment by Willy Meyer Pleite

Amendment 25

Paragraph 14

14, Regrets the fact that sanctions are not always imposed or lifted in accordance with objective criteria (***deletion***);

Or. es

Amendment by Maria Elena Valenciano Martínez-Orozco

Amendment 26

Paragraph 14a (new)

14a. Recommends the exchange of annual human rights reports between the EU and the country signatory to the agreement, including a mechanism for consulting NGOs;

Or. es

Amendment by Maria Elena Valenciano Martínez-Orozco

Amendment 27

Paragraph 14b (new)

14b. Calls for a member of the Commission delegation to each country with which an agreement has been signed containing the clause to be appointed to monitor compliance with it;

Or. es

Amendment by Willy Meyer Pleite

Amendment 28

Paragraph 15

15 *Deleted*

Or. es