


Procedure file

Basic information		
INI - Own-initiative procedure	1999/2001(INI)	Procedure completed
Human rights in the European Union. Annual Report, June 1998 to June 1999		
Subject 1.10 Fundamental rights in the EU, Charter		

Key players			
European Parliament	Committee responsible		Rapporteur
	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs		Appointed 13/09/1999
			ELDR HAARDER Bertel
	Committee for opinion		Rapporteur for opinion
	AFET Foreign Affairs, Human Rights, Common Security, Defense		The committee decided not to give an opinion.
	AFCO Constitutional Affairs		The committee decided not to give an opinion.
	PETI Petitions		Appointed 14/10/1999
			PSE SORNOSA MARTÍNEZ María

Key events			
01/10/1999	Non-legislative basic document published	11350/1999	Summary
01/12/1999	Committee referral announced in Parliament		
24/02/2000	Vote in committee		Summary
24/02/2000	Committee report tabled for plenary	A5-0050/2000	
15/03/2000	Debate in Parliament		
16/03/2000	Decision by Parliament	T5-0111/2000	Summary
16/03/2000	End of procedure in Parliament		
29/12/2000	Final act published in Official Journal		

Technical information	
Procedure reference	1999/2001(INI)

Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 1010-p1
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/10708

Documentation gateway

Supplementary non-legislative basic document		08727/1999	28/05/1999	CSL	Summary
Non-legislative basic document		11350/1999	01/10/1999	CSL	Summary
Committee report tabled for plenary, single reading		A5-0050/2000 OJ C 377 29.12.2000, p. 0004	24/02/2000	EP	
Text adopted by Parliament, single reading		T5-0111/2000 OJ C 377 29.12.2000, p. 0172-0344	16/03/2000	EP	Summary

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

PURPOSE : to present a report from the Austrian Presidency on the reinforcement of its human rights actions and instruments. **CONTENT** : in line with the wishes of the European Council which met in Vienna on 11-12 December 1998, the Council submitted a report identifying avenues to reinforce its capacity to achieve its objectives in the field of human rights and fundamental freedoms. The fields examined concern the following points : - joint evaluation of human rights in the world by increased coordination and by the publication of an annual report on human rights : to this effect, this annual report from the Union, the first of its kind, covering the period from 1 June 1998 to 30 June 1999, seeks to explain how the Union's progress towards integration is paralleled in the field of human rights (refer to document INI/1999/2002). The report aims to increase transparency of Union policy on human rights and to reinforce it; - cooperation development in the field of human rights thanks to education and training activities carried out with other interested organisations, as well as programmes in 15 European universities (an ad hoc budget line for these programmes might be considered) ; - to reflect on the opportunities offered by holding an annual forum on human rights with the involvement of the Union institutions and NGOs in order to strengthen dialogue between parties in this field (the first forum is planned for the end of 1999); - increase the means enabling a response to international operational demands with respect to human rights by creating a common file of European experts on the subject, with a view to operations defending human rights on the ground (actions of this type may be initiated in the framework of election observations); - development and consolidation of democracy and the rule of law, and respect for human rights in third countries: since 11.05.1999, the Union has at its disposal 2 instruments that seek to consolidate democracy and respect of human rights in the form of distinct budget lines from which many activities which aim to support human rights and democracy are funded (1999 : EUR 98 million); - greater coherence in the Union's actions by examining the ways to reinforce the Union's competent structures : the idea is to favour an inter-pillar approach to human rights. Concerning the structure, a CFSP "Human Rights" Working Group and its cooperation with other working groups is on the agenda. It is also hoped that the implementation of a Policy Planning and Early Warning Unit may improve the structures of the Union in this field. Regional initiatives are also envisaged : this is notably the case in ex-Yugoslavia with the Process on Stability and Good Neighbourliness. There is also a need to strengthen the Union's unanimous voice at international level within fora such as the Human Rights Commission (55th session of this Commission in Geneva), the Council of Europe and the OSCE. On an internal level, it is also important to mention the intense work carried out to combat against racism and xenophobia, as well as the international activity carried out by the Union with a view to promoting the gradual abolition of the death penalty.?

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

The committee adopted the report by Bertel HAARDER (ELDR, DK) on human rights in the European Union. The committee pointed out that, under the Treaty, human rights included economic and social rights, and it called for all these, including the right to adequate social protection, housing, adequate health care and proper education, to be incorporated into the new EU Charter of Fundamental Rights, which it believed should be legally binding. The report deplored the fact that yet again eleven out of fifteen EU Member States were listed in Amnesty International's 1999 report because of human rights abuses of varying degrees of gravity. The committee mentioned some countries by name, such as Greece, which was urged to recognise the right of conscientious objection to military service, and Italy, which was urged to limit its pre-trial detention periods. In the field of civil and political rights, the committee asked Member States to extend to all non-EU citizens resident for more than five years the right to vote and stand in municipal and European elections. As in other years, the committee condemned the cruel and degrading treatment of detainees and prisoners by law enforcement officials and prison staff and noted that certain EU Member States had been singled out by the United Nations and the Council of Europe because of such practices. The report noted that the plight of asylum seekers was all too often unacceptable - access to lawful asylum procedures was frequently barred, intolerable detention conditions were widespread and brutal treatment of deportees was not uncommon, sometimes resulting in death. The committee wanted to see strict application of the Geneva Convention and recognition of the existence of persecution on grounds of gender. It urged the Council to come up with a single asylum procedure and a single status for anyone granted asylum within the EU. The committee reiterated the need to provide a proper legal basis and sufficient financial resources for the European Fund for Refugees. Other recommendations made in the report included the promotion of literacy among both children and adults as a means of combating social exclusion, extra-territorial jurisdiction for cases of sexual abuse of children, incorporation of the rights of children into the new Charter of Fundamental Rights and legal recognition in all Member States of extramarital cohabitation, irrespective of gender. One-parent families, unmarried couples and same-sex couples should enjoy the same rights as those of traditional couples and families and any discriminatory age of consent for homosexual relations should be repealed in all Member States. The report also urged that the prohibition on human cloning be maintained. The committee reviewed the human rights

situation in the applicant countries and welcomed the progress made by some countries, in particular Slovakia as far as the rights of its Hungarian minority were concerned. It deplored, however, the extremely unsatisfactory level of respect for human and minority rights in Turkey, the continuing inadequate care in Romania for over 100 000 orphans, the social and economic discrimination against the Roma people in many applicant countries and the lack of adequate legislation in the Czech Republic against sexual abuse and violence against children, which had turned it into a transit country for child prostitution according to a Save the Children report. ?

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

The European Parliament adopted its resolution on the own- initiative tabled by Mr. Bertel HAARDER (ELDR, DK) concerning human rights in the EU. The resolution is divided into a number of headings and sub-headings: 1) A new legal and political context: - The EP recalls that human rights are a set of universal and interdependent rights applicable to all human beings. It notes that the new Treaty formally establishes that the EU is founded on respect for human rights, fundamental freedoms and the rule of law which is a requirement for membership of and accession to the Union. - It hopes that the next Council annual report on human rights will contain a country-by-country detailed analysis of developments in the human rights situation in the EU and proposes that monitoring systems and strategies be introduced in the future to improve respect for such rights. - It welcomes the fact that the protection of human rights in the Council of Europe has been strengthened in institutional terms with the establishment on 01/11/98 of a single and permanent human rights court to which any plaintiff may have direct access. It hopes that the new Court of Human Rights, which has experienced a significant increase in the number of applications in 1998 and 1999 and is currently faced with the task of processing more than 6,000 applications, will succeed in resolving this problem and speeding up its proceedings. - It welcomes the establishment of a Council of Europe Commissioner for Human Rights with non-judicial responsibility for promoting human rights education and awareness in the framework of the ECHR and the appointment to this post of Mr. Alvaro Gil-Robles. - It deplores the fact that yet again eleven of the fifteen Member States are listed in Amnesty International's Yearbook for 1999 on account of both serious and less serious human rights abuses. 2) Human Rights developments in the EU: This section of the report contains the following headings: - extension of the right to vote and to stand for election; - protection of national minorities; - respect for private life; - freedom of religion and belief; - violence perpetrated by police and prison personnel; - treatment of refugees and immigrants; - shortcomings of judicial services; - fight against terrorism; - equal rights for men and women; - equal rights for disabled people; - life styles and types of relationship; - bioethics and protection of human dignity. A number of shortcomings in Member States and candidate countries are cited and calls made for these to be remedied. 3) Means of strengthening protection of human rights in the EU: The Parliament stresses that the EU's very credibility in this area before the international community is dependent on proper respect for human rights and the rule of law within the Union and its institutions. It considers that in view of the new legal context arising from the Treaty of Amsterdam, the forthcoming prospect of a European Charter of Fundamental Rights and the establishment of a European area of freedom, security and justice, the EU's approach to human rights should not be limited to reporting and applying sanctions on a case-by-case basis but should form part of a genuine European human rights policy, applicable to all EU Member States. It calls for the setting up of an independent supervisory body responsible for monitoring effectively the protection of personal data and the right to private life as envisaged in Article 286 of the Treaty. It considers therefore essential that the Commission be provided with appropriate budgetary resources to establish the Area of Freedom, Security and Justice in Europe within the next five years. It stresses the importance of involving NGOs in the protection of human rights, which depends on proper financing and well-functioning cooperation with the Commission and, as far as the candidate countries are concerned, with the Council of Europe, the UN and the OSCE. The Parliament underlined the need to establish a clear hierarchy of legal rules and a proper definition and delimitation of the powers of the Court of Justice of the EC, the Court of Human Rights and the national courts, in order to prevent different legal standards from being applied. It urges the Member States to give the EU legal personality to enable it to accede to the ECHR. The Parliament stresses the importance of strengthening judicial cooperation and calls on the Member States to adopt appropriate provisions to bring previous judicial cooperation agreements within the Community framework, in particular with regard to notification and recognition of judicial and extra-judicial acts, in order to guarantee that European citizens can rely on a properly functioning judicial system in the Union. The Member States are urged to ratify the Convention establishing an International Criminal Court as soon as possible and to take all the necessary measures to ensure that, in the near future, perpetrators of crimes against humanity can under no circumstances benefit impunity within the EU. The EP also urged them to step up the training of law-enforcement officials and prison personnel in respect for human rights and conflict management and proposes that the future European Police Academy, which the Tampere European Council decided to set up, be responsible for this major aspect of training.?