


# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">2002/2013(INI)</a>	Procedure completed
Report on fundamental rights in 2002 in the European Union		
Subject 1.10 Fundamental rights in the EU, Charter		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Citizens' Freedoms and Rights, Justice and Home Affairs		10/10/2001
		GUE/NGL <a href="#">SYLLA Fodé</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>EMPL</b> Employment and Social Affairs	The committee decided not to give an opinion.	
	<b>ENVI</b> Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
	<b>CULT</b> Culture, Youth, Education, Media and Sport		18/03/2003
	V/ALE <a href="#">WYN Eurig</a>		
<b>FEMM</b> Women's Rights and Equal Opportunities		17/03/2003	
	PSE <a href="#">KARAMANOU Anna</a>		
<b>PETI</b> Petitions	The committee decided not to give an opinion.		

Key events			
17/01/2002	Committee referral announced in Parliament		
10/07/2003	Vote in committee		Summary
10/07/2003	Committee report tabled for plenary	<a href="#">A5-0281/2003</a>	
03/09/2003	Debate in Parliament		
04/09/2003	Decision by Parliament	<a href="#">T5-0376/2003</a>	Summary
04/09/2003	End of procedure in Parliament		

Technical information	
Procedure reference	2002/2013(INI)
Procedure type	INI - Own-initiative procedure

Procedure subtype	Annual report
Legal basis	Rules of Procedure EP P.F.
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/15682

### Documentation gateway

Document attached to the procedure	<a href="#">B5-0154/2003</a>	21/02/2003	EP	
Document attached to the procedure	<a href="#">B5-0155/2003</a>	21/02/2003	EP	
Committee report tabled for plenary, single reading	<a href="#">A5-0281/2003</a>	10/07/2003	EP	
Text adopted by Parliament, single reading	<a href="#">T5-0376/2003</a> OJ C 076 25.03.2004, p. 0245-0412 E	04/09/2003	EP	Summary

## Report on fundamental rights in 2002 in the European Union

The committee adopted the own-initiative report by Fodé SYLLA (EUL/NGL, F) on fundamental rights in the EU in 2002. The report focused on conditions of arrest and detention, protection of personal data, the right of asylum and media concentration. It argued that the situation in 2002 gave cause for concern in many respects and even seemed to have deteriorated in some ways. Terrorism - MEPs condemned all forms of terrorism and pointed out that policies on the prevention and punishment of terrorism must seek to maintain the rule of law. They favoured the adoption of "a European compensation instrument" for the victims of terrorism. Prisons - The committee noted that the situation of prisoners deteriorated in certain Member States in 2002, mainly as a result of overcrowding in prisons. It stressed that minimum standards should be guaranteed for the health and living conditions of prisoners, and that detention procedures should be examined to ensure that human rights were not violated. Drug addicts in prisons should have access to medical treatment and the necessary substitution therapies without discrimination. Trafficking in human beings - The committee called for the establishment of a European database focusing on disappeared persons who are believed to be victims of human trafficking. It called for more effective judicial protection of victims through the adoption of the directive on short-term residence permits for victims of trafficking who cooperate with the authorities. Data protection - The report expressed concern at the agreements being negotiated involving the forwarding of personal data between the EU and USA. There was particular concern at the US requirement for airlines to provide access to passenger data on transatlantic flights. MEPs wanted this to be suspended until the level of data protection guaranteed by Community law was ensured. Media concentration - The committee pointed out that no legislative solution had been found to the problem of media concentration in the EU. It deplored the situation in Italy, where media power was concentrated in the hands of the Prime Minister. It called on the Commission to guarantee that public and private media provide citizens with accurate information, avoiding discrimination and guaranteeing access to a variety of groups and opinions. Asylum - MEPs condemned the delays in adopting the basic instruments of a common asylum and immigration policy. They called on the Member States to keep detention of asylum-seekers to a minimum and restrict it solely to exceptional cases that meet UNHCR guidelines. The committee also urged the Council to adopt the draft directive providing for secondary protection for people not covered by the Geneva Convention but unable to return to their country of origin. It voiced concern at the large number of people who lost their lives in 2002 whilst seeking refuge in the EU and condemned the serious situation faced by unaccompanied minors seeking asylum. It argued that people should not be extradited to countries where they might face the death penalty or torture. Discrimination - The committee called on the Member States to guarantee that all children on their territory will be guaranteed access to education regardless of their family's administrative situation. Similarly, any person living on their territory should be granted access to health care. In addition, Member States should relax their naturalisation procedures, ensuring that residents of foreign origin can obtain citizenship if they so wish. MEPs also wanted the Member States to abolish all forms of discrimination against homosexuals, in particular as regards the right to marry and adopt children. Furthermore, non-marital couples should be able to benefit from the rules on freedom of movement within the EU. Other concerns raised in the report included transparency and the right of access to documents, equality between men and women and the rights of the elderly and people with disabilities.?

## Report on fundamental rights in 2002 in the European Union

Parliament adopted a resolution based on the own-initiative report drafted by Fodé SYLLA (EUL/NGL, France) on fundamental rights in the EU in 2002. (Please see the summary dated 10/07/03.) On the subject of terrorism, Parliament again stated its support for measures to combat terrorism, but pointed out that the adoption of these measures must fall within the bounds of the rule of law and ensure full respect for human rights and public freedoms. It expressed concern at the consequences of international cooperation with the United States, which applies different and lower standards than the EU as regards both notification of personal data required from airline companies or by Europol and the conditions of detention of Community nationals at the Guantanamo base. On the matter of data protection, the House expressed serious concern at the agreements involving the forwarding of personal data between the EU and third bodies such as Interpol or third States such as USA, which do not offer the same level of data protection. Such agreements must at all events maintain the level of data protection guaranteed by Directive 95/46/EC. These agreements should systematically make provision for the establishment of a supervisory body responsible for monitoring full compliance with the guarantees when the agreements are implemented. Particular concern was shown at the requirement imposed by the US authorities on airlines to provide access to the personal data they hold concerning passengers on transatlantic flights. Turning to asylum, Members felt that some progress was made in 2002 towards a harmonised common asylum and immigration policy. It regretted that the common policy agreed between the Member States is based on minimum standards which have been set too low and that the emphasis in asylum and immigration policy is on repressive and negative measures. The detention of asylum-seekers should be restricted

solely to exceptional cases which comply with the grounds laid down in the UNHCR guidelines on the criteria and standards applicable to the detention of asylum-seekers. Parliament was concerned by the high number of persons who lost their lives in 2002 whilst seeking refuge in the European Union. This dramatic situation called for the implementation of a balanced policy providing for legal immigration channels. On combating racism and xenophobia, there is at the increase in anti-Islamic and anti-Semitic manifestations of hatred and discrimination following the 11 September 2001 attacks. Parliament welcomed the awareness-raising campaigns conducted by several governments (UK, Sweden, Germany, Finland, Portugal), forewarning the public against the dangers of stereotyping and the Manichean view of a clash of 'civilisations'. Finally, with regard to discrimination, Parliament noted that in Europe four main social groups are subjected to discrimination (foreigners, temporary workers, persons with disabilities and women). It urged the Member States and the institutions to take the necessary action to put an end to such discrimination. Methods suggested include ensuring respect for maximum working hours, guaranteeing genuine occupational safety (5 000 fatal accidents in the EU in 2002), safeguarding against harassment at work (9% of EU workers) and setting a fair minimum wage (Ireland, Spain and Greece, where the minimum wage is less than 50% of the average net wage).?