


Procedure file

Basic information		
INI - Own-initiative procedure	1994/2138(INI)	Procedure rejected
Respect for human rights in the European Union in 1993		
Subject 1.10 Fundamental rights in the EU, Charter		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties and Internal Affairs		04/10/1994
		PSE NEWMAN Edward	
	Former committee responsible		
	LIBE Civil Liberties and Internal Affairs		04/10/1994
		PSE NEWMAN Edward	
	Former committee for opinion		
	JURI Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	

Key events			
26/10/1994	Committee referral announced in Parliament		
19/12/1994	Vote in committee		Summary
28/02/1995	Decision by Parliament	A4-0124/1994	
28/02/1995	Report referred back to committee		
10/04/1995	Vote in committee		Summary
17/05/1995	Debate in Parliament		
18/05/1995	Decision by Parliament	A4-0076/1995	
18/05/1995	End of procedure in Parliament		

Technical information	
Procedure reference	1994/2138(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Annual report

Legal basis	Rules of Procedure EP 54
Stage reached in procedure	Procedure rejected
Committee dossier	LIBE/4/05993; LIBE/4/06439

Documentation gateway

Committee report tabled for plenary, single reading	A4-0124/1994 OJ C 043 20.02.1995, p. 0005	19/12/1994	EP
Committee report tabled for plenary, single reading	A4-0076/1995 OJ C 126 22.05.1995, p. 0003	10/04/1995	EP

Respect for human rights in the European Union in 1993

The committee adopted the draft report on respect for human rights in the European Union in 1993 by 17 votes to 12. The result of the vote illustrates the deep rift which the draft caused between the members and which was reflected in the final vote, which was carried out by roll call, with the Socialists, Greens and members of the European United Left voting in favour and the Christian Democrats, Liberals and members of the Forza Europa, ADE and EDN voting against. The controversy is not new: the report, which was presented to plenary at the end of the last parliamentary term, was referred back to committee. Because the rapporteur presented the same text, the Committee on Legal Affairs, whose opinion had been sought, refused to give an opinion. In addition, before the vote, following a suggestion by the Committee on Legal Affairs supported by a number of members of the committee, members were required to state if the report should be voted or not and the majority (17 for, 13 against) decided that the vote should take place. The minority which voted against felt that the text of the report was too ideological and radical. It calls, among other things, for the European Union to accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), while at the same time advocating that the European Union adopt its own declaration of human rights to complement the ECHR. In its various chapters, the report takes a stand in favour of the abolition of the death penalty in the European Union and analyses the specific situation of human rights, in the wider sense of the term, throughout the EU, referring in detail to problems which have arisen in certain Member States and which affect specific groups of citizens etc. The subjects tackled include torture, conditions of detention and abuse by security forces, freedom of expression and privacy, attacks on civil rights in the form of crime and threats against the rule of law, racism, xenophobia, anti-Semitism and other forms of discrimination. Poverty and the situation as regards economic, social and cultural rights, including the rights of children, women and the elderly, together with the rights of patients, the disabled and the sick are also addressed. The report also analyses the problem of effective trade union rights and the situation as regards asylum rights and the situation of refugees.?

Respect for human rights in the European Union in 1993

The new version of the report by Mr NEWMAN was adopted. The report noted that the United Nations Human Rights Centre had recorded 300,000 allegations of human rights violations. The Union's figure was not mentioned in the report. The European Union urgently needed to adopt a system of protection by acceding to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and adopting a declaration of human rights and fundamental freedoms which could guarantee rights over and above the ECHR. In addition, the report called on the Commission, the Council and the European Parliament to sign a joint declaration endorsing the European Parliament's declaration of 12 April 1989 and recommend that it be included in the Treaties. The other points addressed were as follows: with regard to immigrants' rights, the Newman report agreed to a joint "Schengen" visa but was completely against extending "second class" citizenship. The European Parliament called for any person who had been resident for a long time, born or studied in the Union but who had not or who did not wish to acquire the nationality of the Member State in question to be granted a right of permanent residence in the Union. In addition, the rapporteur deplored the fact that the principle of non bis idem was not applied to young immigrants, whom it should only be possible to deport in the event of conviction if the Member States made deportation compulsory by amending their legislation. This paragraph was deleted during the vote in committee. On racism, Mr Newman reiterated his call for a directive banning racial discrimination and for Ireland to ratify the United Nations Convention and recognize the competence of the Committee on the Elimination of Racial Discrimination (CERD). He also called for laws to be adopted which were similar to the law adopted by Germany on compensating victims of acts of violence who were not nationals of the European Union. Finally, he called for anyone advocating racial hatred to be banned from office, especially in the European Parliament. However, the committee rejected paragraph 63 calling on the Member States to ensure that human rights were respected and to fight the rise in racism, intolerance and the extreme right. The Newman report incorporated the main issues addressed in the Gucht report, i.e. the abolition of the death penalty, torture, attacks on civil rights and abuse by security forces, all of which were amply illustrated by examples from the different Member States. However, the committee rejected paragraph 24 calling for the repeal of the British Prevention of Terrorism Act, paragraph 99 on the freedom of trades union in the United Kingdom and the other points on trade union legislation (94, 95 and 97). The most controversial part of this resolution was paragraph 133 on discrimination against citizens and organizations of former East Germany, which the committee had inserted at the proposal of Mr Manisco. This paragraph was rejected during the vote in committee. Several other paragraphs referring to social or political discrimination in Germany following unification were also deleted (130 second part, 131 and 132).?