




# Procedure file

Basic information		
INI - Own-initiative procedure	1994/2219(INI)	Procedure completed
Respect for human rights in the European Union in 1994		
Subject 1.10 Fundamental rights in the EU, Charter		

Key players			
European Parliament	Committee responsible		Rapporteur
	 Civil Liberties and Internal Affairs		Appointed 23/11/1994
			PPE <a href="#">DE ESTEBAN MARTIN</a> <a href="#">Laura</a>
	Committee for opinion		Rapporteur for opinion
	 Legal Affairs, Citizens' Rights		Appointed 22/02/1995
			PSE <a href="#">HLAVAC Elisabeth</a>

Key events			
16/01/1995	Committee referral announced in Parliament		
22/02/1995	Non-legislative basic document published	<a href="#">B4-0135/1995</a>	
27/06/1996	Vote in committee		Summary
27/06/1996	Committee report tabled for plenary	<a href="#">A4-0223/1996</a>	
16/09/1996	Debate in Parliament		
17/09/1996	Decision by Parliament	T4-0454/1996	Summary
17/09/1996	End of procedure in Parliament		
28/10/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1994/2219(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Annual report
Legal basis	Rules of Procedure EP 54
Stage reached in procedure	Procedure completed

## Documentation gateway

Document attached to the procedure		<a href="#">B4-0440/1994</a>	22/12/1994	EP	
Non-legislative basic document		<a href="#">B4-0135/1995</a>	22/02/1995	EP	
Document attached to the procedure		<a href="#">B4-0362/1995</a>	15/03/1995	EP	
Committee report tabled for plenary, single reading		<a href="#">A4-0223/1996</a> <a href="#">OJ C 261 09.09.1996, p. 0004</a>	27/06/1996	EP	
Text adopted by Parliament, single reading		T4-0454/1996 <a href="#">OJ C 320 28.10.1996, p. 0020-0036</a>	17/09/1996	EP	Summary

## Respect for human rights in the European Union in 1994

The committee introduced some one hundred and thirty amendments into the draft report by Mrs Laura ESTEBAN MARTIN (PPE, E) on respect for human rights in the European Union in 1994, clearly indicating the deep divisions between the political groups on this subject which have persisted since the report on 1993, which plenary was unable to adopt. The final outcome of the vote was illustrative of these divisions: 15 votes in favour (Socialists and Greens), 10 against (PPE) and 3 abstentions (two liberals and the rapporteur herself, who distanced herself from the majority position of her group several times during voting). The basic problem lies in the structure of the report itself: the PPE considered that only "classic" fundamental rights, i.e. traditional rights to life and individual freedom (rights, freedoms and guarantees) should be included in this sort of report, while social, economic, cultural and ecological rights should be addressed separately, if necessary in a different report. The Socialists and the Greens were among those who supported a more "modern" and "amplified" definition of fundamental rights to include social, ecological and similar rights (right to work, right to health, right to housing, right to education etc.). The rapporteur tried to find a compromise between the two positions by presenting a number of her own amendments which would extend the original text, which abided rather by the classic definition, to these "new" rights. However, she failed to muster the support of her group, which voted against several of her amendments which sought to give substance to this compromise, while the majority of members, mainly at the initiative of the Socialists and the Greens, introduced several amendments into the report of a much more "pointed" content. There is therefore likely to be a lively debate when plenary discusses the report during the July session in Strasbourg. The long report covers a wide range of subjects, as the following examples illustrate: - it calls on the IGC to adopt the necessary amendments to the Treaty so that the European Union can join the European Convention on Human Rights; - it condemns acts of torture and inhuman or degrading sentences or treatment inflicted in certain Member States on persons arrested or detained by the representatives of the forces of order, sometimes on racist grounds, and calls for those responsible for such acts or practices to be punished; - it expresses its extreme concern at the failure of several Member States to comply with minimum guarantees in procedures to recognize the status of refugees; - it insists on the need to guarantee the right of conscientious objection in all Member States and calls on Greece to put a halt to persecuting conscientious objectors; - it calls on the Member States to stop forcing their citizens to state their religion on identity cards (practice followed in Greece); - it insists that trade union rights be guaranteed and condemned the United Kingdom in particular for unilaterally suppressing the trade union rights of employees at GCHQ and recommended that the United Kingdom sign the "social chapter" without delay; - it affirms that the current level of unemployment, which affects some 20 millions people in the European Union, is a serious violation of human rights, given that the right to employment with a reasonable level of remuneration is considered to be a basic right; - it considers any form of discrimination by reason of race, skin colour, ethnic origin, sex, sexual orientation, language, religion or political opinion to be unacceptable; - it calls for all discrimination and unequal treatment to be banned with regard to homosexuals, especially continuing differences in the age of consent for homosexual relations, together with discrimination under employment law, criminal law, civil law, contractual law and social and economic law; - it calls for persons inciting racial hatred or advocating racial discrimination to be banned from holding public office, including in the European Parliament, and calls on all the political democratic forces to fight against extreme right-wing parties advocating xenophobia.?

## Respect for human rights in the European Union in 1994

The European Parliament adopted the report by Mrs Laura DE ESTEBAN MARTIN (PPE, E) by 223 votes to 158 with 50 abstentions. In this report, Parliament: - called on the IGC to adopt the necessary amendments to the Treaty so that the European Union could join the European Convention on Human Rights; - called on the Member States to recognize "jus soli" with regard to nationality; - condemned acts of torture and inhuman or degrading sentences or treatment inflicted in certain Member States on persons arrested or detained by the representatives of the forces of order, sometimes on racist grounds, and called for those responsible for such acts or practices to be punished; - called for special attention to be paid in prisons to persons requiring particular treatment; - expressed its extreme concern at the failure of several Member States to comply with minimum guarantees in procedures to recognize the status of refugees; - emphasized that any national from a third country allowed to enter the territory of a Member States with the status of "home help" should enjoy proper working conditions and called on the Member States to take the necessary legal measures; - drew attention to the risk, or even the serious breach which violation of the privilege of preliminary investigation and abuse of preventive detention measures constituted as regards the right to a fair trial, which was a basic human right; - insisted on the need to guarantee the right of conscientious objection in all Member States and called on Greece to put a halt to persecuting conscientious objectors; - called on the Member States to stop forcing their citizens to state their religion on identity cards (practice followed in Greece); - insisted that trade union rights be guaranteed and condemned the United Kingdom in particular for unilaterally suppressing the trade union rights of employees at GCHQ and recommended that the United Kingdom sign the "social chapter" without delay; - deplored the numerous breaches of trade union freedom and the rights of trade union representatives in numerous Member States and called for a halt to them and recognition of trade union freedom as a fundamental right; - considered any form of discrimination by reason of

race, skin colour, ethnic origin, sex, sexual orientation, language, religion or political opinion to be unacceptable; - called for all discrimination and unequal treatment to be banned with regard to homosexuals, especially continuing differences in the age of consent for homosexual relations, together with discrimination under employment law, criminal law, civil law, contractual law and social and economic law; - called for measures to protect children against sexual abuse and violence to be stepped up; - called on Member States to criminalize pimping and the abuse of minors by their citizens abroad (sexual tourism) and to deal with them on the same footing under the provisions in force in their country; - stated that it was concerned that cases of economic exploitation and child labour were still being identified in certain Member States; - considered that a basic education was a right which should not be informed by economic interests but which should seek to form people, hence the need for free, liberal, universal education; - called on Member States to take special measures so that the fundamental right to education also applied to street children and the children of asylum seekers and refugees; - called on the Community and the Fifteen to implement an efficient policy to combat poverty and to take measures to drastically reduce the number of disadvantaged people in the Union. - maintained that the right to quality housing at an affordable price was a fundamental right in a civilized society and should be respected in all the Member States. ?