



EMHRN STRATEGY PAPER

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1. INTRODUCTION

The present document outlines the strategy of the Euro-Mediterranean Human Rights Network (EMHRN). It aims to communicate effectively EMHRN objectives and methodologies within the EMHRN membership as well as to the outside world. It seeks to develop new synergies, partnerships and internal communication by offering a shared vision of the network, its values and objectives.

The document is divided into three parts:

- the first part provides a general presentation of the EMHRN, its mission, objectives and make-up;
- the second part analyses the current situation in the Euro-Mediterranean region, the Barcelona process and related EU-Arab cooperation frameworks, key areas of EMHRN work. It then describes how EMHRN programmes relate to this analysis;
- the final part describes the methodologies used by the EMHRN to implement/achieve the objectives described in part 1 and 2.

The Strategy Paper sets out orientations for 2006-2010. However, strategies lose meaning/become meaningless if they do not adapt to changing circumstances. Because of the volatile situation in the region and because the EMHRN is constantly developing, the document will be subject to a mid-term evaluation at the EMHRN General Assembly in 2008.

The Strategy provides overall direction for EMHRN work. It will be translated into a bi-annual work programme dealing with current issues in a separate paper.

2. PRESENTATION OF THE EMHRN

2.1 Introduction, Context and Background

The Euro-Mediterranean Human Rights Network (EMHRN) was established as a civil society response to the Barcelona Declaration, the process it set up and the agenda it put in place, initiating the Euro-Mediterranean Partnership involving the (then 15) European Union states, the EU Commission and 12 South Mediterranean partners.

The EMHRN is an independent network of human rights organisations and institutions, as well as individuals, adhering to international human rights standards and international humanitarian law.

The majority of the Network's members were already active in the field of human rights prior to the Barcelona Declaration but viewed the framework established by that Agreement as a useful context within which to work, i.e. a context in which they could come together, promote and protect international human rights principles and strengthen and develop further the values of cooperation and dialogue across cultural, social and economic borders.

The members recognise the impact that the Euro-Mediterranean Partnership and EU-Arab cooperation frameworks have on the region and aim to ensure that human rights values and practices are a key dimension of these relations.

2.2 The EMHRN Mission and Vision

The mission of the EMHRN is to promote and strengthen human rights and democratic reform within the framework of the Barcelona process and EU- Arab cooperation frameworks. Rooted in civil society, the Network seeks to develop and strengthen partnerships between NGOs in the EuroMed region, disseminate human rights values and increase its capacity in this regard.

As such, the EMHRN's vision is to develop into a regional forum for human rights NGOs and become a major regional source of expertise, raising awareness of human rights and democratic reform.

2.3 Key Values of the Network

Key values that guide and shape the Network are interrelated and include the following:

- the importance of recognising and promoting the fundamental universality, indivisibility, interdependency and interrelation of human rights, individual as well as collective rights;
- respect for democratic principles and the rule of law as outlined in various international conventions and humanitarian law;
- the importance of security for human being's dignity and fulfilment of their rights;
- the fundamental value of freedom of expression, assembly and association;
- the importance of civil society in the promotion and protection of human rights and the right for civil society to be an active partner in this agenda;
- gender equality and the importance of highlighting and actively promoting the rights of women and women's participation in public life;
- the value and benefit of intercultural approaches to human rights as well as dialogue and the promotion of intercultural understanding;
- the right to popular participation and ownership in shaping human rights agendas throughout the region.

2.4 General Objectives of the Network

The Network's key objectives include the following¹:

- to pro-actively support and publicise the universal principles and standards of human rights in the Partner States and the whole of the Middle Eastern region and to actively highlight the abuse of rights from any source;
- to critically engage with all dimensions of the Barcelona Process and to maintain a critical stance on the EU's own performance in this regard, especially in its dealings with participating states from the South;
- to support the development of democratic institutions alongside the promotion of the rule of law, the equality of men and women, public education and awareness as well as human rights education per se;
- to strengthen, assist and co-ordinate the efforts of its members to monitor compliance with human rights, as well as to promote them amongst the Partner states, especially in contexts where such rights are systematically abused or denied;
- to set up and support necessary structures and procedures to achieve the above.

The Network recognises the significant gap between the rhetoric of the Barcelona Declaration as regards human rights, the realities of the Barcelona Process and the situation in many countries of the region. The Network is committed to critical engagement with these issues and challenges both in the North and in the South.

¹ See appendix 1 for the wording of the statutes

2.5 A Brief History of the Network

The EMHRN was founded at a meeting at the Danish Centre for Human Rights² in Copenhagen in January 1997 by a group of human rights activists from the North and the South of the Mediterranean. Having closely followed the establishment of the Euro-Mediterranean Partnership, they believed it could make an impact on the region. They were particularly interested in:

- the commitment of the Partners to respect human rights;
- the possibility of using conditionality in the promotion of human rights by linking trade, political dialogue and civil society with human rights issues;
- linking the South to a strong, human rights based, democratic European Union;
- opening the EU more fully and positively to the South.

It was felt that creating a Network would significantly enhance human rights work in the Barcelona Process and bring NGOs together in mutually beneficial relations across the region.

The first elective General Assembly was held in Copenhagen³ in December 1997 with representatives of 49 organisations from the Euro-Med region. It elected an Executive Committee, adopted statutes and an action plan that gave priority to freedom of expression, assembly and association and the rights of migrants, refugees and asylum seekers.

In 1999 the Network co-organised the EuroMed Civil Forum Conference on Human Rights and Civil Society in Stuttgart in the context of a Ministerial Summit of the Partnership. This meeting was a break-through for the EMHRN as it provided the opportunity for the EMHRN to establish itself amongst the EuroMed human rights community and to promote a human rights agenda in the context of the Barcelona Process.

In early 2000, the EMHRN received an important EU funding contract and at its fourth General Assembly in Marseille, a new action plan was adopted giving priority to the:

- opening of an office in Brussels;
- development of regional human rights mechanisms;
- strengthening of the EuroMed Civil Forum.

In addition priority was given to regional, thematic work on:

- freedom of expression, assembly and association, and human rights defenders;
- women's rights;
- justice;
- refugees and the right to self-determination;
- the rights of migrants and asylum seekers;
- human rights education;
- economic and social rights.

² Today the name is the Danish Institute for Human Rights. Initiators/Founders were Morten Kjaerum and Said Essoulami. Participants were from the Arab Human Rights Institute; Danish Centre for Human Rights; Dutch Refugee Council; Egyptian Organisation for Human Rights; European Council on Refugees and Exiles; Euro-Mediterranean Institute for Migration and Asylum; French Human Rights League; Greek Committee for International Democratic Solidarity; Al Haq; Italian Helsinki Committee; Human Rights Centre Essex; Moroccan Human Rights Organisation; Aabo Akademi; Ms Saeda Kilani, Mr Saad Djebbar.

³ With the financial support of DANIDA.

At its 6th General Assembly in Malta, 5-7 December 2003, EMHRN members renewed the Action Plan. Main parts of this paper built on the Malta plan.

Today, the Network has succeeded in creating broad credibility within civil society in the region and with representatives of the EU and EMP institutions. It has established a strong profile in relation to the EuroMed human rights agenda while influencing human rights policies on a regional level. This has been noted by recent evaluations of the EMHRN.

Quotes from evaluations of the EMHRN

'The EMHRN has proven an invaluable and indispensable NGO partner to the work of EU members, EC officials and EMP institutions. It has contributed to a better understanding of the Barcelona Process, has lobbied effectively and has brought its members closer to EMP institutions. The activities of the EMHRN have had impact on civil society, both in the Mediterranean countries and in the European Union [...]. The EMHRN contributed directly to the capacity of NGOs to work with their constituencies [...] Membership with the EMHRN has generated more horizontal cooperation among members and exchange of expertise [...] EU Evaluation of the EMHRN, 2003 - EuropeAid/ME8/B77050/IB/1999/0283B.

'The EMHRN is developing into a major NGO networking resource in the region, with considerable knowledge and regional expertise. Likely the single most important achievement of the Network has been its ability to support and facilitate civil society organisations and the fact that it has emerged as the only autonomous organization to function as a) a forum for human rights organization in the Mashrek and Maghreb region, and b) as a direct partnership between NGOs in the South and North. As such, the Network has considerable potential as a bilateral and multi-lateral cooperation partner for European institutions and governments who wish to develop and implement democracy and reform agendas in the region [...]. DANIDA Evaluation of the EMHRN, 2004 - DANIDA, March 2005

2. 6 Members of the EMHRN

The EMHRN has grown considerably since it was established. It now has more than 80 members based in over 30 countries⁴ consisting of a diversity of human rights organisations, women's rights groups, migrant organisations, refugee councils, human rights institutions, research centres, and individuals. This diversity of involvement and perspective is one of the key added value dimensions of the Network.

Currently, the membership is divided into four categories:

1. **Regular members** - they work on a local or a regional level in an EMP country – about 3/4 of the membership are regular members;
2. **Associate members** - they are based in non-EMP countries or are international organisations or organisations whose mandate does not fully comply with the objectives of the EMHRN. Associate members take part in the General Assembly but have no voting rights – about 1/8 of the members are associate members;
3. **Individual members:** they are persons making important contributions to human rights and civil society work in the EuroMed region. Individual members take part in the General Assembly but have no voting rights – about 1/8 of the membership is individual;

⁴ Algeria, Austria, Belgium, Cyprus, Denmark, Egypt, Finland, France, Germany, Greece, Ireland, Israel, Italy, Iraq, Jordan, Lebanon, Libya, Malta, Morocco, Netherlands, Norway, Palestine, Spain, Syria, Sweden, Switzerland, Tunisia, Turkey, United Kingdom, United States.

4. **Honorary members** - Individuals who have made a substantial contribution to the fulfilment of the objectives of the Network or who have demonstrated conspicuous devotion to the principles of the Barcelona Declaration. The EMHRN is in the process of nominating honorary members.

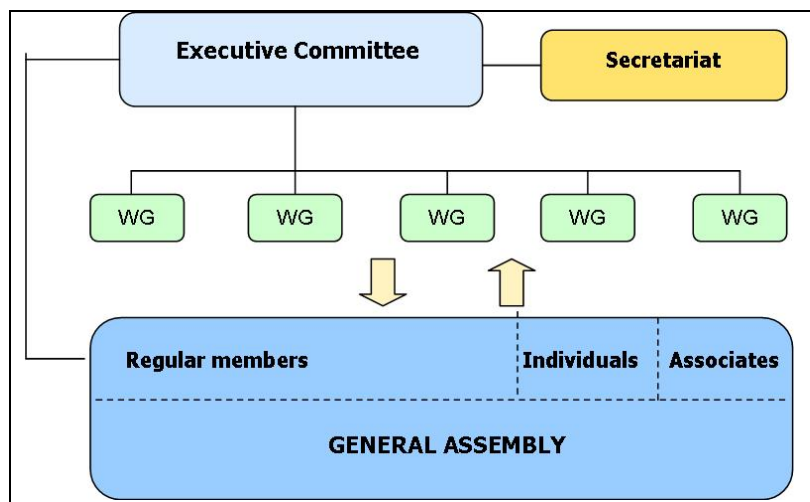
Members are admitted through a formal application procedure. The Executive Committee consults with members before making a recommendation to the General Assembly and the General Assembly ratifies new memberships.

In order to qualify for membership, organisations should be active in human rights issues relevant to the Barcelona Process. They should also be non-partisan and independent of government authorities.

The EMHRN attaches importance and value to geographical 'balance' and 'representativity' within the Network.

2.7 Structure and Bodies of the EMHRN

The EMHRN bodies aim at promoting democratic decision-making, transparency, participation and partnership within the Network.



- **The General Assembly** meets every second year – it approves and adopts statutes, overall policies, multi-annual work programmes, budgets and financial reports.
- **The Executive Committee** is elected by the General Assembly and is composed of twelve members⁵. Half are citizens of the South Mediterranean Partners and half are citizens of EU countries. The Executive Committee implements the decisions of the General Assembly and conducts Network business between Assembly meetings. It also oversees the work of the Secretariat.

⁵ Members of the EC elected at the General Assembly in Madrid are: Kamel Jendoubi (Committee for the Respect of Freedoms and Human Rights in Tunisia, Tunisia), Wadih-Ange Al-Asmar (Solida, Lebanon), Nizam Al-Assaf (Amman Centre for Human Rights Studies, Jordan), Nina Atallah (Al-Haqq, Palestine), Iain Byrne (Human Rights Centre of Essex, United Kingdom), Maria De Donato (Italian Refugee Council, Italy), Moataz Al-Feghery (Cairo Institute for Human Rights Studies, Egypt), Birgit Lindsnaes (Danish Institute for Human Rights, Denmark), Rabéa Naciri (Moroccan Women's Democratic Association, Morocco), Eva Norstroem, Swedish Refugee Aid, Sweden), Colm Regan, (80:20: Educating and Acting for a Better World, Ireland), Michel Tubiana (Human Rights League, France).

- **Workings groups** - in addition to the executive bodies, the Network has developed thematic working groups where members regularly meet to advise the EMHRN, exchange experiences, develop joint policies, conduct joint projects and develop capacities.
- **The Secretariat** is based in Copenhagen with an office in Brussels and an antenna in Rabat. The secretariat implements decisions of the Executive Committee and facilitates the development of the Network. It also ensures internal communication.

In addition, the Network has initiated and hosts the:

- **Euro-Mediterranean Foundation of Support to Human Rights Defenders** - whose aim is to respond to human rights organisations' needs and to support Human Rights defenders and organisations by means of small scale and flexible funds;
- **The Network of Danish NGOs related to the Arab Initiative** - a loose information network of 400 organisations and individuals in Denmark dealing with the Arab World.

It also initiated (and hosted between 2002 and 2005) the Euro-Med Platform of Non-Governmental Organisations, a broad civil society coalition of organisations dealing with the Barcelona Process (human rights, trade unions, culture, environment, migration, etc.)

2.8 Working languages of the EMHRN

The Working Languages of the EMHRN are Arabic, English and French.

2.9 Funding and auditing

The EMHRN receives funds from a broad range of governmental, intergovernmental and private donors. EMHRN accounts are audited once a year by an independent auditor approved by the General Assembly

The EMHRN received funds from the European Commission; DANIDA; SIDA; Dutch Ministry of Foreign Affairs; Swedish Ministry of Foreign Affairs; Foreign Department, Ireland; the UK and Commonwealth Office; Ministry of Foreign Affairs of Luxemburg; Ministry of Foreign Affairs of Hungary; Ministry of Foreign Affairs of Cyprus; The Greek Ministry of Foreign Affairs; Belgium Ministry of Justice; UNHCR; Ford Foundation The Open Society Institute; Friedrich Ebert Stiftung; Heinrich Böll Stiftung, DanChurchAid, NOVIB, ICCO, Church of Sweden, Diakonia-Sweden, Coopération Sud; Cercle des ONG du Luxembourg; European Culture Foundation; Fondation René Seydoux; The Plum Foundation; The Peace Foundation.

3. STRATEGIC ORIENTATIONS OF THE EMHRN

3.1 The EuroMed Region and the Barcelona Process: An Evaluation

EMHRN works within the context of the EuroMed region where the Barcelona Process and related EU-Arab cooperation frameworks have come to shape geo-political, economical, social and cultural realities. This requires a constant up-dating and evaluation of the relation between the EMP, the EU and realities on the ground:

3.1.1 The region - a human rights perspective

Ten years after the establishment of the EMP, EMHRN members continue document the ways in which basic human rights and democratic principles are regularly being violated and oppressed.

Despite apparent reforms – and despite different degrees of authoritarianism - hereditary monarchies or autocratic regimes still dominate political life in the South Mediterranean Partners (SMP) and government approaches to human rights are subdued to internal and external security considerations. Free and fair elections are few and civil society remains weak or government-controlled, hampering North-South and South-South civil society cooperation across borders.

In parts of the region, governments erode press freedoms and freedom of expression; in several countries, freedom of association is severely hampered; women rights are denied; in some cases freedom of movement is arbitrarily restricted, and more generally it is systematically impeded.

Several grave and structural human rights issues relating to the judiciary persist such as the existence of courts with exceptional jurisdiction (state security courts, military courts, etc.) being the most evident expression of the subordination of justice and the judiciary to political power. The question of the disappeared in several countries also remains a largely unaddressed issue. Adding to this are widespread use of torture and extra-judicial executions.

The Arab region lags behind most of the world in terms of its institutional capacity to sustain reform; public liberties and women's participation in public life is weak, while a vast majority of young people remain disempowered and excluded from decision-making.

Following the tragic events of September 11 2001 in New York, regimes seized upon the need to fight terrorism as an opportunity to emphasise order and security while democratic spaces have been reduced and human rights restricted. In this context it is worrying to notice that restraints and violations of civil liberties have also taken place in the North, and that an increasing number of voices in Europe question the legitimacy of the European human rights system and values of non-discrimination.

The region has witnessed a rising atmosphere of inward-looking intolerance and extremism both in the North and the South contrary to a culture of human rights.

The EuroMed region also remains torn by conflicts having dramatic consequences for the immediate victims of occupation, collective punishments, disappearances, extra-judicial killings and the aftermaths of civil wars. Moreover these conflicts have serious repercussions affecting people in the region as a whole.

In recent years, UN legitimacy has been seriously challenged by the occupation of Iraq and increased regional instability, while the breakdown of the Palestine-Israeli peace process, the continued occupation of the West Bank and Gaza (despite formal Israeli withdrawal from the latter) and concomitant gross violations of international human rights standards have led to the radicalisation of policies and to a condemnable use of lethal force against civilian populations. The situation in Algeria, the Kurdish region, in Cyprus, Western Sahara, Northern Ireland, the Basque country and the aftermath of war in Lebanon are also serious issues of concern.

The constant economic inequality between the North and the South remains; deficits in people's economic and social rights remains a source of social tension that threatens to increase in the short term with the instalment of the EuroMed Free Trade Zone. The current eastward expansion of the EU may further marginalize the South Mediterranean countries.

It is possible to mention some positive developments in the region, such as the work on Truth and Equity and the reform of the Mudawana in Morocco and the increased focus on democratisation issues in the region.

But in general, geo-politics of the region are characterised by a predominance of state security interests above human rights. This translates also into increased barriers to migration and human exchange having serious effects on migrants, refugees and asylum seekers. In general, migrants' and asylum seekers' rights have been under constant attack while a large number of European initiatives aim at 'outsourcing' control of migratory fluxes to the SMPs. In recent years, states have shown an increasing readiness to infringe disproportional on peoples' basic civil rights. Evident examples are the 'externalising' of migration and refugee management and attacks on public freedoms in the otherwise legitimate fight against terrorism.

3.1.2 The Barcelona Process

Looking at the Barcelona Process, the EMHRN regrets that, despite declared commitments by the EMP countries to the contrary, human rights, democracy and the security of human beings have not been set above national and regional security, economic and political interests – in particular after 11 September.

In fact to this day the Barcelona Process has not helped to improve the human rights situation on the ground⁶. The few noticeable improvements in the past decade were first and foremost matters of internal changes in individual countries, and not the outcome of proactive relations between the Partners of the Barcelona Declaration⁷. Debates of the last two years on reform in the Arab world are much more the outcome of the complex situation created by the increased presence of the US than of the EMP, the latter having been reactive rather than proactive on reform issues.

Since 1995, human rights have been left at a declarative level, and references to binding obligations of EMP Partners to respect international human rights standards have been avoided.

Despite the MEDA regulation's emphasis on respect for human rights and democracy as essential elements of cooperation, no systematic procedure for mainstreaming human rights concerns exists in EMP economic and financial cooperation.

As regards women's rights, the tendency has until recently been to consider these as an issue of 'religious norms and cultural traditions' - a domestic rather than a public issue, and still comparatively little importance is given to gender issues in practice while gender discrimination in law and practice remains one of the most blatant features of the region.

Civil society cooperation has been seriously hampered by legal and practical constraints to human rights work in most South Mediterranean Countries, as well as reluctance by the EMP and individual governments to establish clear and regular consultation mechanisms with civil society groups.

Finally, the EU and the EMP have demonstrated their incapacity to pro-actively contribute to ending occupation and the violations of human rights and international humanitarian law in the Middle East conflict. This fact - and the EU's lack of common position regarding the occupation of Iraq while several EU countries have challenged UN legitimacy by joining US forces - has seriously weakened EU credibility as a promoter of human rights.

That said, it is important to bear in mind that neither the EU nor the South Mediterranean is a monolithic entity. Within and between EU member state governments, governmental bureaucracies, EU institutions, social strata and movements, there are different positions on human rights related issues and in many instances there is a keen and genuine interest in promoting them. .

⁶ See position paper of the Euro-Mediterranean Human Rights Network on Barcelona + 10 and Human Rights, 1 March 2005 www.euromedrights.net

⁷ Changes for the better in Turkey were the result of the bi-lateral pre-accession negotiations with the EU and not of dynamics created by the Barcelona process. The latest tentative and positive signs of reform in the SMP are much more the outcome of the complex situation created by the increased presence of the US in the region than of the EMP per se.

Also within and between South Mediterranean Countries there are differences, some regimes being completely opposed to reform while others are more open, allowing free spaces for civil society and political pluralism.

In this regard it is worth noting that since its establishment, the EU has made progress in terms of developing the human rights instruments foreseen in the Barcelona Declaration with, inter alia, a Commission Communication on 'Reinvigorating EU Actions on Human Rights and Democratisation with Mediterranean Partners' ((COM 2003) 294 Final) suggesting ten operational and constructive recommendations. All non-EU Partners have signed Association agreements with the EU committing them to uphold human rights and democratic principles as an essential element of cooperation. Malta and Cyprus are members of the EU, and Turkey has engaged in accession negotiations with a commitment to respect the Copenhagen criteria⁸.

Meanwhile, European Parliament reports and resolutions still have a high profile on human rights protection and promotion in the region.

Most important is the recent new European Neighbourhood Policy (ENP) that provides opportunities for dealing pro-actively with human rights by its use of instruments inspired from EU accession procedures, its Action Plans, its emphasis on human rights values, on positive conditionality and the need to fulfil international treaty obligations by hopefully using bench marking to measure progress. Here the human rights movement may find new platforms for future work.

In general, however, the EMHRN believes that there is a serious gap between the declared commitments to human rights in the Barcelona Declaration and the human rights situation in many parts of the region. There are also serious discrepancies between the human rights instruments set in place and the lack of implementation of these as security, economic and national interests largely pre-dominate over human rights.

The human rights dimension of the Barcelona Process has in the recent years reached a stalemate. At the same time, the Barcelona Process and related EU-Arab cooperation remain one of few regional political platforms from which to promote a human rights agenda. In fact, since the launch of the Barcelona Process, civil societies have not ceased to try and make the most of the opportunities offered by this framework to meet and forge alliances across the region, mirroring people's aspirations for democracy, justice and human rights. The EMHRN believes in the importance of supporting this momentum at all times.

The EU and EMP are political, economical, social and cultural realities that contribute to the shaping of the future of the region. Therefore they need to be addressed from a human rights perspective.

The EMHRN suggests continuing to involve itself in the spaces that have been carved out for human rights in the Barcelona Process and the EuroMed region, and developing these by addressing main human rights issues in the region, strengthening the work and cooperation of its members, bringing their concerns to the attention of the EU, ENP and the EMP including the need to implement existing human rights instruments.

However, the EMHRN also suggests using other regional forums when these offer possibilities for promoting reform processes, human rights, democratisation and the role of civil society.

The EMHRN will cluster its work around two human rights programmes of key relevance for the region: Human Rights and Democracy and Human Rights and the Security of Human Beings.

⁸ Under the Copenhagen criteria, membership requires that the candidate country ensures: 'stability of institutions guaranteeing democracy, the rule of law, human rights and the respect for and protection of minorities'.

3.2 Two Programmes: Human Rights and Democracy – Human Rights and the Security of Human Beings

3.2.1 Human Rights and Democracy

Human rights defenders have had a decisive role to play in questions of democratisation through their longstanding devotion to and experience of defending spaces for free debate and thinking, and for their opposition to totalitarianism and occupation. It has placed them in a key position to act as a bridge between various social forces, including dialogue with various social movements.

The EMHRN is convinced of the value and necessity of building on these forces and of the necessity to bring human rights activists in the EuroMed region together in a concerted way in order to enhance the process of democratization.

On democracy

It can be said that several kinds of democracy exist. If, in any case, no democracy is perfect, cultural differences taken into account, all kinds of democracy must at least contain the following characteristics:

- *Governments are elected for a set duration by people who enjoy their right to self-determination;*
- *Those in power are ready to give it up should competing parties/groups get a majority;*
- *Governance is based on the rule of law and the division between executive, legislative and judicial bodies functioning independently but accountable to each other and to the people. In this regard the independence and impartiality of the judiciary is a key feature;*
- *Legislation is anchored in human rights standards and rooted in human rights values at the core of which is the indivisibility, interdependency and interrelation of human rights, the principle of equality, non discrimination, and the respect for human dignity;*
- *Public participation and political pluralism is encouraged and protected through educational and social empowerment of people and by upholding the respect of freedom of association, assembly and expression, free media and a vibrant civil society.*

Support for the development of democratic institutions has been part of the EMHRN's mandate since its establishment in 1997 (i.e. long before 'reform agendas' became formulated as strategic priorities of the EU and the US). There is a close link between human rights and democracy as democracies tend to be more respectful of human rights (in their internal affairs) than authoritarian regimes, and as democracies tend not to wage war against one another.

The EMHRN propose contributing towards developing civil society work on four issues of regional strategic importance:

- freedom of association;
- the independence and impartiality of the judiciary;
- women's rights, gender equality and mainstreaming;
- human rights education and youth.

These four issues have been selected according to EMHRN general objectives and build on the previous work of the EMRHN and its members. They have been selected according to their relevance for democracy promotion (cf. the definition provided above), and according to the added value the EMHRN can bring to these fields without duplicating the work of others.⁹

⁹ Fields in which important regional initiatives already exist are: Election monitoring; Freedom of expression; freedom of media; the fight against torture and impunity; international criminal court; truth commissions; the protection of human rights defenders; women's rights; the rights of the child; anti corruption and transparency.

Freedom of association is a key to human rights promotion and protection, ensuring the dignity of individuals by allowing them full participation in societal life. It is crucial for the development of democratic institutions: political pluralism, trade unions, civil society etc, and for human rights defenders' ability to engage in promoting a human rights culture. It is an indicator of democracy development and of the level of repression of civil society and human rights defenders¹⁰. It is therefore important to set it high on civil society agendas.

The independence and the impartiality of the judiciary lie at the heart of human rights concerns. Independent and impartial judiciaries are key institutions in democracies. They are crucial for the development of the rule of law, a general human rights culture and good governance. The South Mediterranean countries in particular suffer from deficits in the judiciary systems. In most cases, the judiciaries do not assume their role according to rule of law principles and are institutionally allied to the political powers in place while playing a complimentary role to the police in repressing rights and fundamental freedoms.

Hence, a 'vicious circle' exists, whereby the judiciary helps to sustain the authoritarian and non-democratic regimes in place while such regimes are instrumental in blocking reform of the judiciary towards greater independence. In this context it becomes a priority to develop spaces for free debate between civil society, lawyers, magistrates, etc., on questions relating to the independence and impartiality of the judiciary.

Gender equality and mainstreaming is another key issue. There are no human rights without women's rights and there is no democratic reform without gender equality and anti discrimination. Women's rights cannot advance if human rights discourse does not embrace men and women equally. Several reports have documented wide gaps between human rights standards and realities concerning women in the EuroMed region

At the same time, women's rights groups have emerged as vibrant, innovate and efficient civil society groups in terms of networking, advocacy and public awareness raising, and several initiatives exist on a regional level. However, the promotion of women's rights and gender equality suffers from the non-integration of women's rights issues into general human rights and civil society activities. Women's rights issues tend to be discussed only by women, and women's networks live separate lives from generalist human rights informal or formal networks. This is why special initiatives regarding rights based approach to gender equality and mainstreaming are needed and can bring added value to ongoing work.

Human rights education and addressing young people. There is no genuine human rights respect and no democracy without the dissemination of a human rights culture. Today much is left to do in the region as a whole in order to develop a genuine human rights culture due to oppressive environments, double standards of *Realpolitik*, lack of development and the impacts of globalisation.

The human rights movement is currently facing the huge challenge of 'recruiting' a new generation of committed young human rights defenders. It is crucial that this new generation is addressed and kept within the orbit of human rights issues by constantly updating relevant methodologies and organising gatherings that attract young people.

Human rights education is a key in promoting human rights, as education methodologies can raise awareness and foster debate about human rights values in general.

3.2.2 Human Rights and the Security of Human Beings

The EMHRN believes the notion of 'security of human beings' is useful for its work as it highlights issues and problems that people are facing in the EuroMed region.

¹⁰ Freedom of expression is a right closely connected to freedom of association and to democracy, but several initiatives already exist on a regional level

On the Security of Human Beings

The EMHRN understands the security of human beings as a rights focussed and humanist approach to human security having the following main characteristics :

Security of human beings is about protecting people's individual and collective rights. It is about protecting people in violent conflict and in post-conflict situations; protecting and empowering people on the move; protecting people against economic and health insecurity; and empowering people to choose among opportunities by promoting their skills, providing for education and securing their human rights;

A humanist approach to human security opposes traditional state security notions based on defending national sovereignty. It sets the needs and rights of the individual above narrow state interests while maintaining that it is the states' duty and responsibility to protect individual's safety and rights. It sets the respect for democratic values, the indivisibility of human rights and international humanitarian law at the heart of its concern;

In using the term of security of human beings it focuses on the need to attain freedom from pervasive threats to people's lives or livelihood, be they political, economic or social. It considers that respect for human rights and democratic freedoms as well as empowerment for human development are indispensable for safeguarding and promoting human security;

Human rights and democracy and the security of human beings are closely interrelated and interdependent, and both place respect for human dignity above all. However, whereas the EMHRN's human rights and democracy programme focuses on freedoms, its human rights and human security programme focuses on safety.

As exemplified in the analysis of the situation in the region, and despite the EMP's solemn commitment to promote and strengthen peace, stability and security by all means at its disposal, basic human rights features of human beings' security are not respected or implemented in the Mediterranean region

In response to this, the EMHRN has identified three strategic human rights starting points for dealing with human rights aspects of human beings' security:

- human rights and the Middle East conflict;
- the rights of migrants, refugees and asylum seekers;
- economic and social rights.

These starting points have also been selected according to EMHRN general objectives and to previous work done by the EMHRN and its members. They have been selected for their relevance for human security according to the definition provided above, and according to the added value the EMHRN can bring to these fields without duplicating the work of others.¹¹

Human rights and the Middle East conflict: As mentioned, the Mediterranean area is torn by conflicts. It is the region in the world hosting one of the largest numbers of refugees per capita. The most enduring conflict is the Middle East conflict. It is emblematic of the region and a main reason for the stalemate of the EMP. Like other conflicts, it has suffered from the failure of the conflicting parties and the great powers to place

¹¹ Several important regional initiatives already exist relating to the security of human beings. These are driven by solidarity and peace movements, environmental organisations, and development organisations. Important human rights monitoring also exist regarding conflict zones, refugee rights, anti-racism, etc. The EMHRN brings added value to the work on the Middle East by bringing together human rights activists from Palestine, Israel, the Arab World and Europe on joint projects .As regards migrants', refugees' and asylum seekers' rights , in terms of both economic and social rights, no regional initiatives currently exist apart from those of the EMHRN.

respect for human rights and international humanitarian law at the heart of conflict prevention, management and resolution. Promoting respect for human rights and international humanitarian law is crucial for the Middle East in particular and for the region in general.

Promoting **Migrants', Refugees' and Asylum Seekers'** rights is equal to bringing human rights concerns to the centre of the EMP. The level of protection of migrants, refugees and asylum seekers is a key indicator of the EMP governments' readiness to place human exchange and interaction above narrow (soft) security interests and to engage in genuine partnerships. The management of migration and refugee protection is also an indicator of their willingness to share responsibilities and to comply with human rights when they are the most needed, i.e. when people are in a vulnerable situation, at risk and need help.

Economic and Social rights: Human rights are indivisible, interdependent and interrelated. For historical reasons, human rights organisations in the EuroMed region have given more attention to civil and political rights than to economic and social rights. However, the social and economic inequalities between and within countries of the region are blatant. During the coming decade the establishment of the Free Trade Zone will have a major impact on the social and economic conditions of the population of southern and eastern Mediterranean countries. It risks – at least in the short term - harming people's economic and social rights (the right to work, to housing, to education, to health, etc.) and, by extension, people's ability to exercise their political and civil rights. In this sense it is vitally important to develop instruments to monitor economic and social developments from a human rights perspective both at regional and local level.

4. THE METHODOLOGIES OF THE EMHRN

4. 1. Introduction

The main role of the EMHRN is to promote and strengthen human rights and democratic reform from a civil society perspective in the EuroMed region within the framework of the Barcelona Process and related EU-Arab cooperation frameworks.

The Network seeks to develop and strengthen partnerships between NGOs. It seeks to facilitate the development of human rights mechanisms, disseminate human rights values and to generate capacity to deal with core human rights issues. In this endeavour, the Network has chosen a rights based approach to the following interlinked and interrelated methodological starting points:

- **Networking**
 - Thematic working groups
 - Communication;
- **Membership support**
 - Solidarity
 - Training and research;
- **Dialogue and advocacy** - with Partner states and the EU institutions regarding coherent, consistent and effective implementation of their commitment to promote and protect human rights;
- **Partnerships:** with international organisations, NGOs, trade unions, other civil society groups, etc., inside and beyond the region;
- **Support structures**
 - Evaluation
 - Local offices
 - Fund raising

- Administration.

The following pages provide details of these methods.

4.2 Networking

Networking is the main activity of the EMHRN aimed at strengthening the capacity of members to act and interact within the context of the region and the Barcelona Process.

Networking is conducive to the transfer of knowledge and experience from one member to the other, to new partnerships and the creation of synergies. It mainly takes place within the two programme areas defined above.

4.2.1 Working Groups

The working groups are the key networking instruments of the EMHRN¹². The themes of the WGs are identified through a consultation procedure within the EMHRN and are thus based on members' priorities and analysis of the situation in the region. New working groups are established when required by changing circumstances in the region and/or the membership.

EMHRN has six working groups (plus one in the making) clustered around its two programmes. These engage in debates and exchanges, monitoring, research, documentation, policy proposals and recommendations.

Working groups

Human Rights and Democratisation

- Freedom of Association
- Justice
- Women's Rights
- Human Right Education

Human Rights and the Security of Human Beings

- Palestine/Israel and Palestinians
- The Rights of Migrants, Refugees and Asylum Seekers
- Economic and Social Rights (in the making)

The EMHRN seeks to ensure that the working groups do not work in isolation from one another and that synergies are developed between the different groups and the two programmes. It seeks to maximise their input by means of clear and consistent work programmes bringing added value to human rights in the region without duplicating other initiatives.

4.2.2 Communication

Networking is dependent on efficient and relevant modes of communication between members as well as between the Network and the 'outside world'.

The EMHRN issues **news briefings** and **newsletters** with news from members and news about the latest human rights developments in the EuroMed region, the EU, etc. It also promotes the direct exchange of information between members and informs them directly of initiatives that are relevant to their work. Furthermore, the EMHRN's news service takes up special human rights issues, in particular when members of the network are at risk. The briefings and newsletters are forwarded to members and to key

¹² Cf. Appendix 2 for more details.

agents of the Barcelona Process (NGOs, Parliamentarians, EU and EMP officials), etc. Members also receive summaries from executive committee meetings, working group meetings, conference calls, etc.

A new **Web site** is currently under development that reflects the EMHRN's strategic approach. The Web site will contain information about key human rights issues in the region, about the EU and the Barcelona Process, training materials and a calendar of events. The Web site will also include a members' section highlighting member activities, minutes of meetings etc.

4.3 Membership Support

4.3.1 Solidarity

Working groups and communication are main networking instruments of the EMHRN. They focus more on thematic work than on country issues.

However, the EMHRN is convinced that solidarity plays a major role in promoting networking and cooperation. The human rights situation in many countries of the EuroMed region is such that networking makes little sense without constant monitoring of the human rights situation in individual countries and special attention to when and where members - or their work - are at risk.

In these cases the EMHRN sends missions, produces specific reports, initiates urgent alerts and conduct advocacy activities in relation to the EU Institutions. The cases are often closely connected to the WG themes and WG monitoring and initiatives and solidarity action thus helps to strengthen links between regional and local work. Particular attention is given to members working in countries where state repression is high and legal means for civil society action are limited or non existent.

4.3.2 Research and training

The EMHRN also bring members together around research and training projects that can bring added value to their work. Research focuses on uncovered human rights issues that are relevant for the region and also feed into EMHRN advocacy work. Research and training programmes are mainly developed within the context of the working groups, but in some cases are also initiated by the Secretariat.

The EMHRN will in particular further develop its specific training and advocacy programme on the EU and the European Neighbourhood Policy (ENP).

4.4 Dialogue and Advocacy

When working within the context of Barcelona Process and related EU-Arab cooperation frameworks, it is important that the outcome of the EMHRN's activities feed into these mechanisms in order to, on the one hand, strengthen the human rights instruments in the region, and, on the other, make use of these when relevant.

Dialogue and advocacy is a main method for promoting human rights in the EMP. The EMHRN directs its attention towards the mechanisms of the EMP, the ENP, the EU as well as towards all partner state representatives. The EMHRN gives increasing attention to bi-lateral relations (between individual member states or between the EU and individual states) because these are currently more conducive to change than multi-lateral relations and because of the momentum offered by the new European Neighbourhood Policy.

The EMHRN seeks to:

- Promote its general policies and recommendations vis-à-vis the EMP, the EU and partner governments;

- Disseminate reports and policy papers produced by its working groups on key questions requiring particular attention and promote their recommendations;
- Promote human rights and democratisation – together with its members – in bilateral EU-SMP relations (Association Agreements and ENP Action Plans)
- Diffuse results from its missions;
- Diffuse news and policies to the media;
- Organise meetings between its members and the European institutions (Parliament, Commission and Council);
- Inform members on the Web and in news letters about key issues of the human rights dimension of the EMP;
- Strengthen the capacity of its members to deal with the mechanisms and instruments of the EU, ENP and the EMP through training;
- Organise executive committee meetings in different partner countries of the EMP enabling it to meet with government representatives, the press and NGOs.

EMP and ENP mechanisms

The EMHRN focuses in particular on instruments and mechanisms relating to:

- *The Barcelona Declaration and new EMP5 years programme*
- *The bi-lateral association agreements between the EU and the SMP;*
- *The country reports and bi-lateral action plans of the New Neighbourhood policy;*
- *The Commission Communication on Reinvigorating Human Rights and Democratisation in the Mediterranean Region (May 2003);*
- *Human rights commitments of the EU laid down in relevant treaties and guidelines*
EU financial instruments for human rights in the Mediterranean region

4.5 Partnerships

The EMHRN believes it is important to cooperate with civil society beyond the human rights community in the region and in this way disseminate the values upon which it builds its work.

In this regard, the EMHRN seeks broad alliance with - and outreach to – international non governmental organisations, environmental and development groups inside and outside the region, social forums, political and religious groups where relevant.

Example of partnerships

The EMHRN maintains close relations with the Human Rights and Democracy Network and other civil society organisations in Brussels. It cooperates on a regular basis with international human rights organisations such as Amnesty International, Human Rights Watch, OMCT, FIDH, etc.

It cooperates with trade unions, private and political foundations and church-based organisations on a number of activities.

It sustains the secretary-general function of the Euro-Med Platform of Non-Governmental Organisations that was initiated by the EMHRN and it has further initiated and hosts the Danish NGO Network related to the Danish Arab Initiative.

4.6 Support structures

4.6.1 Evaluation

The EMHRN believes it is of utmost importance to evaluate its activities in order to strengthen its work and learn from experience. In this sense it seeks to mainstream the development of indicators of achievement into its work and evaluate all its main activities.

4.6.2 Local offices

The EMHRN has initiated the **opening of offices** or **antennas** in the region, aimed at decentralising secretarial activities and being closer to the members and/or to key decision making processes. The EMHRN currently has an office in Brussels and two antennas in Rabat and in Amman.

4.6.3 Fund raising

The EMHRN is in a constant process of identifying and diversifying funding sources in order to sustain the above activities.

Funding activities are based on the following principles and aims:

- EMHRN accepts funds from public and private donors when they sustain activities that fall within the EMHRN's remit, strategy plan and work programme and only insofar as the EMHRN's right to freely express its opinions and policies is respected;
- The EMHRN aims at being in a financial position where one donor does not fund more than one third of EMHRN total activities;
- The EMHRN aims at developing reserve funds that can be used during transition periods when funding is scarce. .

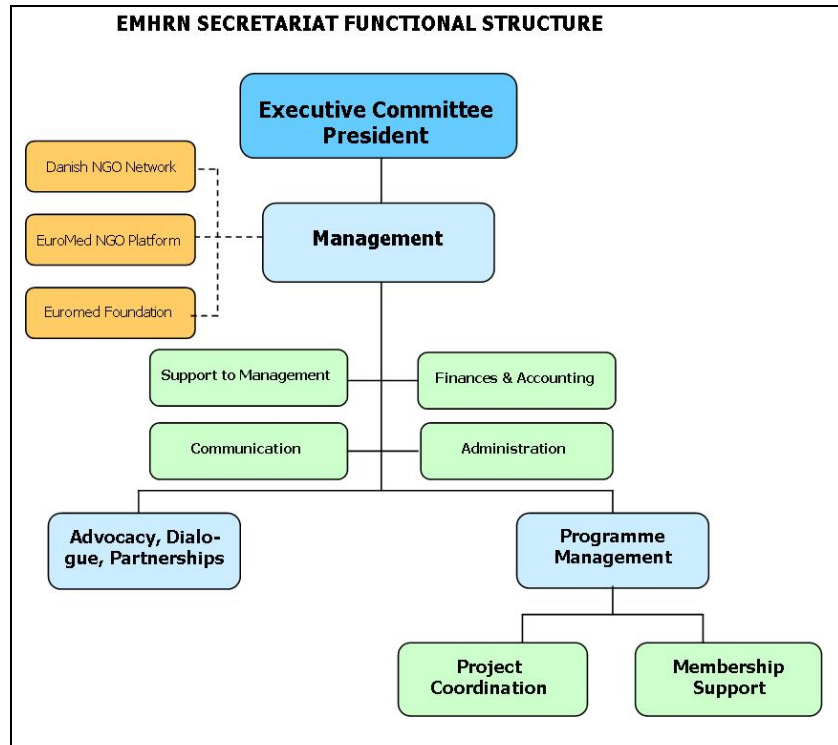
4.6.4 Administration

The EMHRN aims to support its activities with efficient and professional administration, sensitive to intercultural dialogue and to the environment in which its members work. It is in the process of establishing a staff development programme.

The administration is supervised by the 'Troika' (EMHRN President, Vice President and Treasurer) in its day-to-day activities and is divided into the following key result areas matching the EMHRN's strategic approach:

- management, policy, strategy;
- support to the management and the democratic bodies of the EMRN;
- communication (Internal and external);
- membership support;
- advocacy, dialogue and partnerships;
- programme / Network activities;

- administration and finance.



The administration implements EMHRN programmes on the basis of rolling work plans, specific assignments for each staff member, and a wage and staff regulation that complies with relevant international labour conventions and treaties. Furthermore, work conditions are regulated according to relevant labour legislation in the country of residence of the employee and relevant agreements between employer and trade unions.

APPENDIX 1

The objectives of the Euro-Mediterranean Human Rights Network (the "Network") according to the statutes:

- a) to support and publicise, in the Partner States and across the whole of the Maghreb and Middle East regions, the universal principles of human rights as established by all international instruments on human rights and as expressed by the Barcelona Declaration, signed in November 1995 in Barcelona by the governments of the States of the European Union and Southern Mediterranean States (the "Partner States");
- b) to strengthen, assist and co-ordinate the efforts of its members to monitor compliance by the Partner States with the principles of the Barcelona Declaration in the field of human rights and humanitarian concerns;
- c) to support the development of democratic institutions, the promotion of the rule of law, human rights, the equality of men and women, and human rights education.

2.2 To further its objectives, the Network shall:

- a) urge the Partner States to comply with their obligations under the Barcelona Declaration;
- b) urge the Partner States and all the States in the region to apply the human rights norms and principles as expressed by the international human rights pacts and conventions and as expressed by the Barcelona Declaration and association agreements;
- c) urge the Euro-Mediterranean Partnership to adopt an action plan for the implementation of the human rights provisions and principles as expressed by the Barcelona Declaration;
- d) gather and disseminate to the public information concerning the provisions and principles of the Barcelona Declaration, the Partner States' compliance with these provisions and human rights conditions in the Partner States;
- e) gather and disseminate to the Partner States and the European Union Institutions information concerning the Partner States' compliance with the provisions and principles of the Barcelona Declaration and human rights conditions in the Partner States;
- f) support, in the Partner States, the creation of independent non-governmental organisations to monitor compliance with the human rights provisions, or to support and assist existing non-governmental organisations; support and co-ordinate the actions of such organisations, and contribute, if necessary, to reinforcing their capacity;
- g) co-operate with international organisations and agencies working for the implementation of the aforesaid provisions, and protect human rights defenders;
- h) engage in relevant research and documentation activities in the fields of concern to the Network;
- i) solicit, receive and expend funds enabling the Network and its members to conduct their activities.

APPENDIX 2

THE EMHRN WORKING GROUP CONCEPT

Overall objective

The EMHRN working groups are created as a part of the EMHRN strategy of addressing specific human rights issues in the Euro-Mediterranean region. The working groups design specific policies and programmes, advise the Executive Committee and the Executive Director thereon, and ensure the effective delivery of the mandate and agenda of the Network.

The general framework

The working groups are established for a specific purpose and may be composed of regular, individual and associate members. It may invite resource persons (individuals or representatives of organisations) to its meetings. The EMHRN working groups can be either ad hoc or permanent groups.

The Executive Committee appoints a political referent to act as an intermediary between the working group and the Executive Committee, ensuring that decisions of the EC and the working group are communicated to both parties. An EMHRN staff member is present at each meeting and ensures administrative coordination. Each working group elects a chair person.

Quantitative criteria

- The total number of members (regular, individual and associate, including staff member, chair person and political referee) in each working group should not exceed 15 persons.
- An organisation can have representatives in more than one working group, but a representative of an organisation can only in exceptional cases be member of more than one working group.

Qualitative criteria

- A member qualifies for membership of a working group upon written application and documenting direct and demonstrative involvement in the field of work of the working group.
- Continued membership of the working group implies committed and active participation in its meetings and in the implementation of the working group decisions.
- Duration of membership: 3 years with possible re-election.
- If a working group member fails to show up at three consecutive working group meetings without due notification s/he will no longer be considered a member of the working group.
- The composition of the working group should aim at reflecting the geographical diversity in the region, both in the North and in the South, as well as be gender balanced. It should also attempt to ensure inclusion of youth.