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Final Statement

One year ago, the EMHRN celebrated its tenth anniversary. Created in response to the Barcelona Declaration, the EMHRN has achieved to gather more than 80 human rights organizations from the European Union and the countries members of the Euro-Mediterranean Partnership, develop its action and reflection on several themes relevant to this region of the world, ensure, with others, the defense of threatened human rights organizations and defenders (notably through the establishment of the Euro-Mediterranean Foundation of Human Rights) and, lastly, to establish its material existence though it remains a continuous bet on the future.

Despite those achievements, the situation of the Euro-Mediterranean Partnership, as well as the development experienced by the North and South Mediterranean countries are far from fulfilling the objectives of the Barcelona Declaration and even less the aspirations of peoples.

If a limited number of countries has enjoyed real progress, the general situation has continued to deteriorate, notably because of the emergence of new conflicts and the persistence of the old ones.

Indeed, peace remains an absolute necessity to establish or further democracy and human rights. Though it will not be enough to ensure alone the establishment of democracy, the resolution of the Israeli-Arab conflict remains one of its key elements.

While recalling that the use of force against any civil population is never acceptable, the continued Israeli occupation and the constant expansion of colonies, as well as the confinement of civilians in actual territorial ghettos, as symbolised by the wall constructed in violation of the Hague Court's judgement, the siege of Occupied Palestinian Territories, in particular of Gaza, the use of collective punishment, the eradication of any economic development in Palestine and the discrimination and racism against the Palestinian minority in Israel, constitute a massive violation of human rights and humanitarian law.

The expansion of the conflict to neighbouring states, with the massive and unjustifiable destructions inflicted to Lebanon, or when the US and its allies illegally entered into war in Iraq, producing hundreds of thousands of refugees in the Euro-Mediterranean basin, as well as the potential attack against the Iranian nuclear plants or the persistence of the Western Sahara conflict and the resulting massive human rights violations, demonstrate that, far from improving, the situation in that region of the world and of its immediate neighbourhood bears an amplified risk of conflicts with consequences that concern the whole world.

In each of these cases, one has to admit that the European Union did not know or did not play the role expected from it. Israeli governments continue to conduct their policies in total impunity, notably on the ground that the Palestinian people freely exercised its right to election, and certain Members States of the Union lined up with the US in Iraq. If the use of atomic energy for military purposes is not acceptable, then its condemnation applies to all the countries of the region, and thus also to the State of Israel.

In this context, one has to admit that democratic mechanisms and the respect for human rights have only made little progress. The Barcelona Declaration postulated a shared destiny based on shared values.

This did not entail copying any Western model but rather an appropriation by all State Members of the Partnership of the principles enshrined in the Universal Declaration of Human Rights and the various conventions that were adopted for its implementation.

On the sixtieth anniversary of the Universal Declaration of Human Rights, we can only provide a critical report of the situation of the countries of the Euro-Mediterranean Partnership.

In practically all the countries partners of the European Union, the electoral processes continue to enjoy only little credibility, when the situation has not deteriorated. Parliaments are, essentially, assemblies where actors with no actual powers and elected in questionable circumstances fidget.

Freedom of the press, with few exceptions, remains largely limited and journalists are too often subjected to unjustifiable repression. The functioning of the judiciary remains under the yoke of governments to the extent that even when more liberal provisions are adopted, those in charge of implementing them lack culture of independence. Not to mention that the training level of judiciary agents is insufficient and facilitates, along with other reasons, endemic corruption that extends to large sectors.

Whether it takes place under emergency laws, constantly renewed or worsened, or under ordinary laws, the use of torture and inhuman and degrading treatments are common practice not only for political opponents, but also for mere citizens who fall into the police's hand.

Despite the commitments made and certain exceptions, civil society organisations are victims of laws or practices that infringe their independence or simply prevent their existence. Although the Declaration on the protection of human rights defenders has existed for ten years, being a human rights activist or a trade unionist in numerous South Mediterranean countries amounts to be assured to suffer persecutions, or even to put his or her freedom or life at risk.

The economic choices that were made and the practically inexistent social legislation make the lives of millions of people, directly hit by a globalisation that only leads to ensuring the supremacy of the most powerful, even more precarious. Children are the first victims of these social disparities. Weak among the weak, migrants who arrive live in "rights-free" zones.

Altogether, the rule of law required by democracy and the respect of human rights has only slightly improved in a limited number of countries. The majority of them have shown, on the contrary, a real step back: there are no means or fora for political debate, to the extent that it has been replaced by religion, instrumentalised by the States and certain groups.

Finally, though legislations improving women's rights have been adopted in some countries, legal or *de facto* discrimination between genders is the rule, including within the most mobilised sectors of civil society. Women's rights are all the more threatened because of their economic situation that puts them in the front line in terms of unemployment, job insecurity and poverty.

The European Union, for its part, has developed, notably since the attacks of 11 September 2001, a securitarian policy that cares less and less about the principles it claims to rely on.

Concerned about protecting itself from any manifestation of terrorism and from what it considers to be intrusive immigration, it subjects its own citizens to emergency laws and to checks that violate elementary freedoms. Migrants are subjected to discriminatory measures, or are even literally hunted down. Refugees are considered as cheats and those who help them are prosecuted.

This results in an actual deterioration of the situation of migrants in the entire European Union, accompanied by the rise of xenophobic reactions, including among the ruling circles, to the extent of provoking racist manifestations towards individuals who have a European nationality but are originally from South Mediterranean countries, in particular towards those who claim to follow Islam or those assimilated to Islam.

State Members of the European Union, either collectively or bilaterally, export their skills and condition their aid to the respect of the securitarian norms they impose. This results in a legitimisation of the partners who openly flout freedoms and explains the support granted to the worst dictatorships.

Institutionally, multilateral negotiations of the Barcelona Declaration have progressively been replaced by bilateral agreements under the form of association agreements and then, under the framework of the European Neighbourhood Policy. These agreements did not make, or so little, for a real democratic evolution and a better respect of human rights.

The establishment of an « Union for the Mediterranean », at the initiative of the French government, might have led to believe that the Euro-Mediterranean Partnership would be given a boost. The restriction of this initiative to the fields of economy and security only, leaves out the peoples' rights, the aspiration to democracy and the respect of human rights. Without underestimating the good that infrastructure projects linking both shores of the Mediterranean could bring, this initiative will only prosper if both parties make profit of it and if peoples are included in it : and, at the end of the day, no genuine economic development can be achieved without democracy, peace and respect for human rights.

If this report appears to be mainly negative, the Member States of the Euro-Mediterranean Partnership, who are historically linked together since centuries and share a sea that unites them, have no other choice than to build a common space.

The EMHRN continues to think that there is no other solution, in that region of the world, than a genuine partnership based on the equality of its members, but also on common principles, resulting from the international conventions they each have acceded to.

In this framework, the EMHRN decides to continue its efforts towards the establishment of democratic regimes respectful of human rights.

To that end, it decides to extend its intervention capacities to all international bodies that deal with this region of the world.

It will support any initiative likely to strengthen the defense of human rights activists, and in particular, the North African coordination of human rights organisations and the EuroMed Federation against enforced disappearances.

In particular, the EMHRN calls for:

- Free and fair elections under the supervision of independent observers.
- The respect of freedom of the press and more generally of freedom of expression and creation. These should not be subjected to any restriction, notably in the name of religion, other than those necessary for the existence of a democratic society.
- The respect of freedom of association, including for workers, and the independence of these organisations.
- The setting-up of judiciary bodies independent from the political power and subjected to the public control of citizens, which implies the renunciation of the currently in force emergency legislations.
- The respect of the rights of migrants and refugees, notably by the ratification and implementation of the International Convention on the rights of migrants and the Geneva Convention by all the States of the Partnership.
- A determined action in favour of human rights education which will enable to concretely apply the principle of non-discrimination on grounds of religion, political opinions, gender or sexual orientation. Reservations to the Convention on the Rights of the Child should be withdrawn and the Convention should be efficiently applied.

More generally, the EMHRN wants to see:

- The international community enforce the resolution it has adopted with regard to the Israeli-Arab conflict, including those concerning refugees. The European Union, in particular, should cease to support the policy of Israeli governments and make amends by funding the Palestinian Authority. It should respect the democratic choices of the Palestinian people and its legitimate representatives. It should oppose racism and discriminations endured by the Palestinian minority in Israel. Arab States that receive Palestinian refugees should recognise them the rights they are granted under the

Geneva conventions.

- Action favouring the equality between men and women be a priority. Not only would it restore the rights to half of the populations concerned but also, the EMHRN is convinced that it would act as a powerful leverage for the evolution of all societies and a condition for the existence of democracy and respect for human rights. All reservations to CEDAW should be withdrawn and the Istanbul Plan of Action should be implemented.
- The political and civic debate regain its rights and be no more sacrificed by purely securitarian concerns. It should be open to all different components of the society that permanently accept the rules of democracy and the refusal of violence, including religious actors.
- That economic development is not achieved to the benefit of some individuals or companies and that social rights are fully applied. .
- Migrants and refugees enjoy their rights continually and cease to be the object and tool of securitarian and xenophobic policies.
- The European Union, in accordance with the respect for human rights it claims in all its activities and in its external relationships, adopt a more proactive and consistent approach in support of democratic reforms and progress of the human rights situations in all the countries concerned by the Euro-Mediterranean Partnership. Far from weakening the political and economic stability of the concerned countries and the security of individuals, this approach would, on the contrary, strengthen them.

The EMHRN, which gathers organisations from all the countries of the Euro-Mediterranean Partnership, reaffirms that the actual application of these reforms and the realisation of these objectives are the conditions for a genuine dialogue between peoples and for a shared common destiny. L