

THE SIXTH GENERAL ASSEMBLY OF THE EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK

MALTA, 5-7 DECEMBER 2003



Euro-Mediterranean
Human Rights Network

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INTRODUCTION

The 6th General Assembly (GA) of the Euro-Mediterranean Human Rights Network (EMHRN) took place in Malta 5-7 December 2003 and gathered about 90 representatives of the EMHRN membership. The GA was preceded by a working group meeting on Justice in the Mediterranean region 3-4 December 2003.¹

The aim of the GA was to evaluate the work carried out since the last General Assembly in Athens, June 2002; to develop the action plan for 2004-2008 as well as to vote for a new Executive Committee.

The EMHRN was created in 1997 in order to support the human rights principles as described in the Barcelona Declaration of 1995. The network's general aim is to promote stability, peace and dignity in the Euro-Mediterranean region through strengthening civil society and promoting exchanges, knowledge and synergies.

Summary of the Proceedings of the EMHRN 6th General Assembly

The General Assembly was *officially opened* by the president of the EMHRN, Abdelaziz Bennani, on Friday the 5 December. Anton Tabone, speaker of the Maltese Parliament, and Omar Grech, representative from the Mediterranean Academy for Diplomatic Studies and EMHRN member, welcomed the participants to Malta.

At the first session the *political report*, presented by Mr. Bennani, the *financial report*, presented by Colm Regan, EMHRN, and Ulrik Petersen, external auditor, and the *activity report*, presented by the EMHRN vice president, Kamel Jendoubi, were discussed in plenary. The General Assembly expressed its appreciation of the recent activities carried out by the Network. Questions on *migration* and *media* were recurrently underlined as important themes to target in the future.

The reports were voted for and new members of the Network were presented. The *election of a new Executive Committee* was pushed forward to Friday instead of Sunday due to practical circumstances. The setting up of an advisory board was not agreed upon and thus postponed.

On Saturday 6 December three different *workshops* were held. Preceding the workshops, presentations on the *State of the Barcelona Process* were put forward by Sophie Bessis, writer and professor at the University of Sorbonne, Paris, and on *Human Rights, Democracy, and the Barcelona Process* by Gamal Soltan, deputy director at the Al Ahram Centre for Strategic Studies, Cairo.

Workshop 1 on the *Present and Future of the Barcelona Process* was moderated by Sihem Bensedrine. The Barcelona Process was evaluated focussing on the present difficulties and strategies to go beyond the Barcelona Process in the future were suggested. The plenary reporting and discussions were rescheduled to Sunday.

Workshop 2 on *EMHRN Statutes* was moderated by Natasha Shawarib. The proposed amendments to the statutes were discussed. The plenary discussion including vote on the statutes was continued on Sunday.

Workshop 3 on the *Plan of Action of the EMHRN* was moderated by Colm Regan. Proposals concerning the future work of the EMHRN were expressed and discussed. The plenary reporting and discussions were rescheduled to Sunday where the Plan of Action was voted for.

The working program and budget for 2004 were presented and discussed on Sunday and voted for together with the Plan of Action.

The General Assembly was *officially closed* on Sunday 7 December by the newly elected president of the EMHRN, Kamel Jendoubi. He thanked all participants and in particular those spending lots of efforts preparing and making this Assembly possible.

¹ For program and report from the Justice seminar, please contact the EMHRN Secretariat.

This report presents a summary of the content and debates of the General Assembly (Part 1), the Annual Report which was presented and voted for during the GA (Part 2), and the Action Plan 2004-2008 which was also discussed and voted for at the GA (Part 3).

The report is not structured in a precise chronological order according to the agenda of the GA in stead the outcome of events have been summarised in thematic sections. Proposals put forward by the participants of the GA have been placed under each section.

We believe this General Assembly represented a very important stage in the development of the EMHRN and thank the participants for their fruitful and constructive contributions to the debates.

Finally, we want to thank the Academy for Diplomatic Studies in Malta for assisting in organising this seminar; not least JoAnn Camilleri, Stephanie, Charles, as well as Omar Grech. Also heartfelt thanks to the interpreters as well as the EMHRN staff.

The Executive Committee, August 2004

PART 1

**SUMMARY OF THE PROCEEDINGS
OF THE SIXTH GENERAL ASSEMBLY
OF THE EMHRN**

1. OFFICIAL OPENING OF THE 6TH GENERAL ASSEMBLY OF THE EMHRN

The meeting was opened on Friday 5th of December 2003 by Mr Anton Tabone, speaker of the Maltese Parliament, who welcomed the General Assembly to Malta. He noted that the presence of hundred representatives of civil society from the whole Euro-Mediterranean region was a proof of the constructive work that the Network has been carrying out during the last six years hereby signaling that cooperation within the Barcelona Process is possible.

Mr Tabone also addressed the importance of approaching human rights problems in the North and South as interrelated. He gave as an example the issue of migrants endangering their lives crossing the Mediterranean Sea in search of a decent existence and argued that we have a shared responsibility to guarantee the dignity of these people, as well as to improve the human rights situation in general. He stressed the need to reinforce cooperation between human rights organizations in the region as well as developing constructive dialogues with governments.

Omar Grech, representative from the Mediterranean Academy for Diplomatic Studies, thanked the Executive Committee for choosing Malta, a symbol of the Euro-Mediterranean with its mix of styles and cultures, as host for the 6th General Assembly.

Mr Grech then talked about education as being essential to the continuing work and success of the Network and argued that the notion of human rights is based on knowledge about ourselves and others and that this is fundamental in order to work together. The aim of this General Assembly should be to learn more about each other and thereby strengthen the common work.

Finally Abdelaziz Bennani, president of the EMHRN, announced the meeting officially open. He underlined the strong link between human rights and democracy where participation of citizens is a fundamental right, and regretted authoritarianism in all its forms whether in the north or the south of the Mediterranean. Transparent elections should lead to protection of human rights according to international standards and parliaments have a key role to play in order to reinforce the Partnership. The president congratulated those who recently decided to set up a Euro-Mediterranean parliamentary assembly.

The integration of Malta and Cyprus into the European Union (EU) – and perhaps Turkey in the future – can only reinforce the Euro-Mediterranean Partnership (EMP). However, the international and regional contexts hinder the full implementation of the Partnership; the conflict in Palestine with its violation of human rights and the intervention in Iraq are creating a lot of difficulties in the area.

He stressed that the Network strives to encourage synergy between the North and the South, and EU institutions have been moving in that direction as well with the EU Communication on Human Rights and Democracy. The Network receives support from EU and governments, particular in the North, which encourage the continuation of its activities. He thanked the Institute of Diplomatic Studies in Malta for its contribution to the preparation of this GA.

In a conclusive remark the president expressed, on behalf of the Executive Committee, the support to those who defend human rights and are victims of repression in the region. In particular, a tribute was paid to Radhia Nasraoui from Tunisia who has been on a hunger strike to fight against the humiliations she has been victim of in recent years.

2. PRESENTATION OF REPORTS FOLLOWED BY DEBATE AND VOTE

a. Political report

The president of the EMHRN, Mr Abdelaziz Bennani, presented the political report (*see Annex 3*) underlining the importance of the EMP as a regional framework for promoting human rights. He also stressed the achievements of the Network since the Marseille EMHRN General Assembly in 2000 enhancing the visibility of the Network by opening an office in Brussels as well as the work done in relation to the Euro-Mediterranean Human Rights Foundation, the promotion of women's rights, the promotion of independent and equitable justice, the study of socio-economic and cultural rights and the work on human rights education.

Among the obstacles to the advancement of human rights in the Mediterranean, he mentioned especially the augmented Palestinian-Israeli conflict with the peace process reaching a deadlock and the unilateral intervention in Iraq which has undermined the UN successive resolutions on the struggle against terrorism and on human rights.

The international environment has a negative impact on the EMP's main objectives of creating a zone of peace and progress in the region, and has contributed to the Barcelona Process coming to a standstill.

The EU enlargement will make the adoption of a common foreign policy more uncertain and it will imply a reevaluation of the Network's activities and structures.

In conclusion, the Mr Bennani urged all member organizations to involve themselves more in the Network in order to develop regional synergies and to strengthen Network activities.

b. Activity report

The activity report was presented by EMHRN vice president Kamel Jendoubi (*see Part 2 of this report*). He underlined that the objective of the activity report was to take stock of the activities achieved in relation to implementation of the action plan adopted at the General Assembly in Marseille in 2000.

Concerning the *human rights mechanisms*² the role, contribution and quality of the EMHRN have now become recognized at the EU institutional level.

The first step of the *Civil Forum process* has been implemented by setting up the Euro-Mediterranean Non-governmental Platform consisting of trade union organizations, human rights defenders, culture and environment organizations from North and South of the Mediterranean. The platform will in the future aim to become an interface between institutions working in the Partnership. In addition, the idea of a Euro-Mediterranean Human Rights Foundation addressing freedom of association, freedom of expression and the protection of the human rights defenders was officially launched in Athens 2002.

Thematic activities have been put into action and have proved the added value to the EMHRN by gathering experiences, competences and expectations across national and regional borders. The report on *The Human Rights Implications of the MEDA Programmes*, the report on *Integration of Women's Rights from the Middle East and North Africa into the Euro-Mediterranean Partnership* and the ongoing work on Justice were mentioned as examples.

On *country activities and priorities* the EMHRN has focused on a number of countries since the Marseille GA. Palestine and Israel have obviously absorbed a lot of our efforts, and there are achievements to be proud of as well as more work to be carried out. With the EU enlargement the number of Partnership countries will grow from 27 to 35, and Turkey's potential membership of the EU draws attention to the human rights situation in the country. The human rights situation of the Kurdish people is a question that the Network should deal with more permanently in the future.

² I.e. mechanisms within the EMP or the EU to promote human rights,. Such mechanisms include Association Councils and Committee meeting in relation to the Association Agreements, Human Rights Action Plans etc.

Activities have been carried out in a number of Euromed countries, but one of the shortcomings noted has been the need to reinforce the links between the members in the South and the Executive Committee and the Secretariat in terms of strengthening of information flows and follow-up. One of the questions to discuss is how the Network can act most efficiently in relation to specific situations in a given country.

The organization and function of the Network was also addressed. The work of the Secretariat was stressed as fundamental to the Network and how to make best use of its limited resources raised as a question to discuss. A management group has recently been set up to overview the work of the EMHRN in between EC meetings and facilitates the EMHRN Secretariat in its work.

The EMHRN vice president also addressed the financial audit of the Network undertaken by the EU underlining that the Network has the necessary financial tools to implement its planned activities.

Tribute was paid to members of the Network who have worked under a lot of pressure to support the objectives of the Network and to the executive director, Marc Schade-Poulsen and the Secretariat for their dedication and efforts, as well as to Mourad Allal for his work in the Civil Forum process. .

c. Financial report

The financial report was presented by EMHRN Executive member Colm Regan, substitute for the interim treasurer, Nazmi Gür, who unfortunately could not attend the Assembly due to illness. The external auditor, Ulrik Petersen, presented the accounts for year 2002 (*see Annual report from Auditors, Annex 4a*).

Colm Regan presented the overview of the EMHRN finances for year 2003 (*see Annex 4c*). The EU Commission is still the major income source providing 77% of the total income. The estimated budget for 2003 is 1.063.251 euros with 21% of the expenditure allocated to the organization of the Network itself (the general assembly being the main expenditure) 9 % of the income is spent on country focused activities, 38 % on thematic activities, and 32% on administration like travel, office rent, the executive etc. It was underlined that this is an estimation and that smaller but not significant variations might occur.

d. Debate and votes on reports³

Eva Norström, member of the Executive Committee, moderated the discussion on the reports. Comments and suggestions were put forward by participants and subsequently responded to by members of the Executive Committee.

Regarding *objectives and strategies* of the Network there was a general appeal for clearer and defined goals and a discussion of common values and guidelines. The need for a clear position from the Network was asked both in relation to the forthcoming EU Enlargement as well as with regard to the present tense situation at the international level concerning human rights issues. It was proposed that the future work should be more pro-active and based on anticipations and developing ideas instead of only reactive, responding to developments.

Discrimination was put forward as a possible overarching issue to work on for the Network as it is an issue common to all societies.

Education and research were mentioned as an important basis for the future work of the Network. Issues identified were: Islam and human rights, and the fight against terrorism as an excuse for violation of human rights.

Lobbying activities were seen as important and it was stressed that the EMHRN should use its close relationship with the EU to function as a pressure group towards political authorities. Capacity building of local organizations in the region and the protection of human rights on the ground should at the same time remain one of the focal aims of the Network.

³ For a complete overview of decisions taken at the GA, *see Annex 5*

Questions about the *Euro-Mediterranean Human Rights Foundation* were raised regarding its added value and the whether it would duplicate the work of other organisations. It was underlined that the aim of the Network is indeed to add value and give impetus to human rights issues and not to replace the work of others.

Cooperation with other organizations was also seen as an important goal for the Network as it would give more weight to actions if they were undertaken jointly. It was suggested that the Network should try to attract more members and extend its work to reach more people, and not only in the field of human rights. At the same time there was a call for a pragmatic approach regarding ensuring an achievable level of activities taken the limited human resources in the Network into account. The challenge will be to strike a balance between developing and expanding the Network and at the same time defining a strategy to organise and prioritize the activities in order not to overload the Network.

Migration was mentioned as a problem to which the Network had not paid enough attention since the Marseille 2000 GA. The seminar on migration in January 2003 in Trieste in Italy had not been efficient enough in ensuring a continued Network approach to the issue. It was suggested that the Network prioritise working on migration in its forthcoming plan of action.

Among the large number of specific issues dealt with within the Network the *situation of the Kurds* was identified as another issue needing more attention. It was stated that the Kurdish question along with *the Palestine-Israel conflict* define a major focus for the Network as they are imbedded in the Partnership .The human rights situation in Syria as well as women's rights were singled out as issues needing continues focus of the Network.

On the level of *communication* it was underlined that the Network's web site needs an update to better reflect the objectives and the activities of the Network. Regarding the activity report, it was suggested to include an executive summary of conclusions to facilitate the reading and understanding. In addition, it was remarked that the activity report did not contain all activities. While the difficulty of including all activities of all members was acknowledged, it was suggested to improve the selection criteria in order to let activities better reflect the work of the Network.

On the level of *internal communication* some participants stressed the need for more information available for members ahead of meetings, such as the agendas of the executive committee and working group meetings, as well as minutes and list of participants from meetings, seminars and workshop to be made public after meetings. The Network agreed that such steps would also enhance the transparency of the EMHRN. It was stressed that the members are the fundament of the Network activities, and this requires a high degree of involvement from the members. It was clear that better communication is needed regarding the division of work between the members, the executive committee and the secretariat.

To sum up, there was a general appraisal of the EMHRN work done so far and a consensus on how the Network needs to move forward by improving internal and external communication as well as refining strategies and objectives.

VOTE:

- The political report was adopted with one abstention.
- The activity report was adopted by unanimous vote.
- The financial report was adopted by unanimous vote.

It was decided to separate the Euro-Mediterranean Foundation from the Activity Report and discuss the Foundation in the workshop on statutes and then subsequently put it to vote in plenary.

3. RATIFICATION OF NEW MEMBERSHIP AND CANCELLATION OF MEMBERSHIP

The following organizations were accepted as members, all by unanimous vote:

Regular Members:

- Al-Haqq, Palestine
- Comité International pour la Paix en Algérie (CIPA), Algeria
- Bar Human Rights Committee of England and Wales (BHRC), UK
- Sisterhood is Global Institute (SIGI), Jordan

Associate Members:

- Organisation Mondiale Contre la Torture (OMCT)

The following memberships were terminated:

- LAW's membership was cancelled.
- Forum des citoyens de la Méditerranée's membership was terminated as the organisation has ceased to exist.

4. ELECTION TO THE EMHRN EXECUTIVE COMMITTEE

- Kamel Jendoubi was elected as president of the EMHRN with 40 votes in favour, 0 against and 1 abstention (41 total votes)
- Eva Norstroem was elected as vice president of the EMHRN with 38 votes in favour, 1 against, 1 abstention and 2 blank (42 total votes)
- Theocharis Papamargaris was elected as treasurer of the EMHRN with 23 votes in favour, while Hayati Yasamsal received 10 votes, Antonio Stango 7 votes, and 2 abstentions (42 total votes)

The following were elected as members of the Executive Committee:

- Randa Siniora, with 30 votes
- Klaus Slavensky, with 27 votes
- Rabéa Naciri, with 26 votes
- Bahey El-Din Hassan, with 25 votes
- Colm Regan, with 23 votes
- Michel Tubiana, with 23 votes
- Reyhan Yalcindag, with 22 votes

The following were not elected as members of the Executive Committee:

- Natasha Shawarib (19 votes)
- Hayati Yasamsal (15 votes)
- Sihem Bensedrine (15 votes)
- Sliman Bouchuiguir (13 votes)
- Wadih-Ange Al-Asmar (8 votes)
- Antonio Stango (8 votes).

5. REPORTS FROM WORKSHOPS

a. Presentations and debate:

The State of the Barcelona Process in the light of the Past Development, the Enlargement and the War in Iraq

Sophie Bessis, writer and professor at University of Sorbonne, Paris, and Gamal Soltan, Deputy Director at Al Ahram Centre of Strategic Studies, Cairo, made presentations to stimulate the debate in the following workshop.

Sophie Bessis spoke about the development since the beginning of the Barcelona process and its foreseeable future from an economic and geopolitical point of view (see Annex 7).

She argued that both the southern Mediterranean Partner Countries (MPC) and the European countries have to be disappointed with the Euro-Mediterranean Partnership. The signed Association Agreements have not improved the economic situation in the Southern countries and their room for maneuver has been reduced, especially after 9/11 2001. As initiator of the EMP, Europe could have done more to encourage trade, agriculture and investment. Furthermore, the EMP has not managed to assure long-term stability of its Southern neighbors, thus failing to provide Europe with one of its security policy goals.

The EU Enlargement is part of an EU strategy to create an area of prosperity and good neighborhood. Ms Bessis underlined the difficulty in imagining an efficient new Neighborhood Policy in the Mediterranean with no obligations attached to it. The southern Mediterranean Partners seem to become secondary in relation to their northern neighbours.

Gamal Soltan also took stock of the Barcelona Process, arguing that the EMP lacks progress in regards to economic, political and security aspects.

He showed that the major problem is the lack of autonomy as the Barcelona process is dependent on other political initiatives in the Mediterranean region. The Middle East peace process was the basis of the EMP and with the end or the deadlock of this process; the EMP has lost most of its strength. The lack of progress is also a result of contradictory motives: the European Partners stress structural reform, both economically and politically, where the Southern Partners focus on desired economic development. Human rights and democracy tend to be the victims usually sacrificed in the compromise between these motives. The EMP has in general failed to work as a catalyst of political reform.

He continued by outlining the future challenges of the Partnership. The enlargement of the EU will turn focus on internal affairs in Europe, and resources and capital towards the southern Mediterranean are likely to be constrained. To avoid a further weakening of the EU commitment towards the region a strong "Mediterranean lobby" is needed in European politics. The fear of being marginalized could though turn out to work as an instrument to encourage political reforms in the southern countries. The war in Iraq has had negative effects on the EMP as the American invasion of Iraq has increased the skepticism in the Arab countries towards Western ideas about democracy and human rights. Mr Soltan suggested that resources as well as the mandate of the EMP should be expanded to cover Iraq (despite Iraq not being a Mediterranean country) as the situation here will greatly influence the rest of the region with regards to development of democracy and respect of human rights.

Debate

The presentations were followed by a debate. The GA generally felt disappointed with the Barcelona Process and that the post-Oslo assumptions had never materialized. As a consequence of this, the Network was encouraged to think beyond the EMP.

The Network was urged to lobby the EU to live up to its commitments especially concerning protection of human rights in Iraq and questions of democratization in general. It was, however, acknowledged that this would not be an easy task, neither for the Network nor for the Southern Partners, as the EU Enlargement in the beginning may hinder a political consensus.

b. Workshops and debate

The workshops took place on Saturday the 6th, while the discussions of workshop 1 and 3 as well as the final vote for the statutes and the Human Rights Foundation were moved to the following day.

This presentation of statements and suggestions is a summary of the discussion during the workshop as well as the plenary debate that followed.

c. Workshop 1: The present and the future of the Barcelona Process

The discussion on the Barcelona Process focused on two main questions:

- What is our, i.e. the EMHRN and its members, evaluation of the evolution of the Barcelona Process since the EMHRN GA in Athens in 2002?
- What is our, i.e. the EMHRN and its members, vision and strategy for the future of the EMP?

On the evaluation of the Barcelona Process, it was noted that:

- 11 September and the subsequent fight against terrorism and the war on Iraq has had very negative effects on the BP:
 - The southern authoritarian governments are getting more goodwill and less criticism from the northern governments.
 - The role of the US in the region has been reinforced at the expense of European involvement
- European politics are more heterogeneous with the Enlargement and there is a need to revisit the EMP within this new reality as NGOs and as civil society.
- There is a lack of knowledge and information among us, as civil society, to make a detailed assessment of the social and economic impacts of the Association Agreements
- We, as civil society and EMHRN, have not given enough attention to the European public, which is in favour of peace and development in the region
- We cannot continue to accept our own double standards as HR organisations; we cannot continue to blame others and forget our own responsibility as HR NGOs; we cannot continue to denounce Israel's crimes against the Palestinians without also condemning the suicide attacks against Israeli civilians; we need to look at ways to abandon nationalistic politics.

The discussion evolved around the following three statements:

- The financial and political support of the EU governments towards the Southern governments runs counter to the interests of the people in the region as there is a big gap between the responsible in the South and the people
- It is important that the EU States continue and strengthen their financial support to the South but without insisting on imposing human rights and democracy, as human rights and democracy can only develop through internal dynamics within these countries
- The importance of introducing conditionality in development aid

On the visions and strategies for the future, the following questions were raised:

- How to overcome the imbalance between the hegemonic European countries and the South in order to construct a true partnership?
- How to ensure that the EMP will not bring with it a free trade zone subdued to security concerns and forced privatisation?
- How to ensure that the involvement of European States in relation to the HR situation in the South without interfering and imposing HR, does not run counter to international HR standards/obligations?

Strategies proposed by participants included:

- To work on the public opinion in Europe; the EMHRN should give priority to making citizens of the respective European countries lobby their governments to reinforce the EMP

- To see the EMP in a wider global context, to go beyond the BP
- To have a true human rights approach and to abandon double standards
- To develop our expertise on economic rights
- To elaborate criteria to measure the respect for human rights according to an non-arbitrary conditionality (benchmarking)
- To work on migration
- To give more attention to Europe and developments in Europe
- To create a space for a debate on Iraq where the EMHRN takes a clear position

Some comments put forward were:

- To include work on youth, women, community and identities
- To take note of racism in Europe and Islamic extremism in the South and work for pluralism
- To link up to the anti-globalisation movement
- To do more work on Palestine and Iraq
- To work more on immigration
- To analyse the impact of the US in the region and to work with the American NGOs
- To address the new EU countries (accession countries) and to mobilise them.

d. Workshop 2: EMHRN Statutes

Amendments to the statutes proposed by the Executive Committee⁴ and the Human Rights Foundation were discussed at this workshop.

It was noted that the French version was the most precise and thus taken as the reference. It was suggested to divide the statutes into chapters and articles.

VOTE:

The Executive Committee was given the mandate to finalize the statutes in light of the discussions at the GA. For the final amendments, *see Annex 6*

e. Workshop 3: EMHRN Action Plan

At the workshop as well as in the plenary debate it was discussed how to improve the future work of the EMHRN⁵. The participants suggested the following to be integrated in the Action Plan:

On the level of communication:

- Internal communication: more information to members on future events, developing new and creative approaches to communication, more inter-active communication;
- External communication: developing a media strategy, building a network of journalists around the EMHRN, making the Network more known in the South, updating and developing the website, exploring the TV and radio media to promote HR (human rights programmes, a human rights satellite channel)

Human rights defenders:

- Fact finding missions
- Trial monitoring
- 'Lawyer' exchange of experience
- Solidarity and support campaigns etc.

Women's rights/ gender awareness:

⁴ For the proposed amendments please contact the EMHRN Secretariat

⁵ For the final version of the Action Plan, *see Part 3 in this report.*

- Gender mainstreaming and institutionalisation of gender in all EMHRN activities

Youth:

- More focus on and inclusion of young people in the EMHRN work and work on youth education

Freedom of expression:

- Drafting a strategy paper and an action plan

Specific thematic themes: more work on

- Social and economic rights
- Discrimination and pluralism
- Migration and human rights: how to counteract the security approach to migration

Capacity building

- Trial monitoring (creating a pool of trial monitors from the North and South of the region)
- Improving planning skills in order to avoid competition and duplication of work: joint strategizing and planning and prioritizing
- "Horizontal" cooperation including EMHRN members in all activities as well as encourage co-operation between members, sharing experience from one context and exploring how it can be used in another context. Also more work in working groups.

Extended participation

- Higher degree of participation of the EMHRN internationally in forthcoming meetings and events in the fields such as rule of law, access to justice etc.
- Including NGOs from the Accession States in the EMHRN work, establishing partnerships and bringing the concept of the Euro-Mediterranean to the East

Lobbying and advocacy work:

- Addressing the European Union institutions, governments and the public
- More coordinated work on Palestine.
- In the US: acknowledging the role of the US in the region more strongly and building links and relations with NGOs in the US.

Research:

- A proposal for an annual report assessing the development of HR in the region to be the basis for a discussion on conditionality and a suggestion to have a working group on the impact of the enlargement on the future of the EMP

Greater 'balance' is needed between

- North-South; i.e. ensuring equal attention to problems in the North and South of the Mediterranean
- Promotion of HR – denunciation of HR violations; i.e. ensuring equal attention between HR activists and education approaches/institutions
- Gender; i.e. paying attention to the inclusion of men and women in all activities, programmes etc.

Evaluation on the EMHRN

- To identify the "added value" of the Network, i.e. the specificities of the Network, especially the qualitative aspects, and the appropriate division of labour between the Network and other international HR NGOs
- To define EMHRN's role as co-ordinator between local, regional, international HR organisations and events

6. VOTES FOR ACTION PLAN 2004-2008, WORK PROGRAM AND BUDGET FOR 2004 AND OFFICIAL CLOSING OF THE GENERAL ASSEMBLY

a. Action Plan 2004-2008, Work Program and Budget for 2004

The GA was presented with the Action Plan for 2004-2008, as well as the Work Program and Budget for 2004. It was decided to give the Executive Committee the mandate to integrate the suggestions from the GA into the Action Plan at their forthcoming meeting in February 2004.

Work program and budget 2004

The newly elected president, Kamel Jendoubi, introduced the Work Program for 2004 which had anticipated a number of issues already discussed during the GA (*see Annex 8*). Regarding the budget it was noted that it is only a forecast as the EU contract ends in June 2004 (*see Annex 4b*).

Generally, the GA welcomed the Work Program. The need to integrate improved communication, both internally and externally, was stressed once again. In addition to the recommendation from Workshop 3 (*see page 17*) it was suggested to try to gather a group of journalist and link them up to the actions of the Network. It was proposed to devote some time and funding to develop working methods and strengthen networking in order for members to follow up on the priorities and agree upon main actions since the GA now only takes place every second year. The conditions of immigrations, free circulation between the North and South, and South-South migration was mentioned as crucial to integrate in the Work Plan as well.

On the budget, it was suggested to make a mid-term review of the EMHRN activities in order to take stock of the finances twice a year. It was clarified that the budget line for the Civil Forum is independent of the budget for the Euro-Mediterranean Non-governmental Platform budget run by the EMHRN. The EMHRN is the technical interim Secretariat of the Euro-Med Non-governmental Platform.

VOTE:

- Plan of Action for 2004-2008 was unanimously adopted.
- Work Plan for 2004 was unanimously adopted.
- Budget for 2004 was unanimously adopted.

b. Official closing of the General Assembly

The 6th general assembly was officially closed by the new president of the EMHRN, Kamel Jendoubi. He announced that it had been a constructive Assembly where previous activities had been discussed and validated, but indeed also future activities had been in focus. Future activities, strategies and programs were debated and will need much more attention, especially by the new executive committee elected at this general assembly. The president thanked all the participants and addressed a special thanks to the staff that had organized and worked at this 6th General Assembly.

ANNEX 1

AGENDA THE 6TH GENERAL ASSEMBLY OF THE EMHRN

FRIDAY 5 DECEMBER

9.30-10.00

Welcome

The Hon. Anton Tabone, Speaker of the Maltese Parliament
Omar Grech, Mediterranean Academy for Diplomatic Studies (EMHRN member)
Abdelaziz Bennani, President of the EMHRN

1. Session: Presentation of Reports

Co-Chairs 1., 2., and 3. Session: Abdelaziz Bennani, Kamel Jendoubi, Nazmi Gür, and Eva Norstroem

10.00-10.30

Presentation of political report, Abdelaziz Bennani, President, EMHRN.

10.30-11.00

Presentation of Activity Report, Kamel Jendoubi, Vice President, EMHRN.

11.00-11.30

Presentation of Financial Report, Nazmi Gür (interim treasurer, EMHRN) and Ulrik Raebild Petersen (Auditor, Price WaterHouse and Coopers).

11.30-12.00

Coffee break

2. Session: Discussion of reports

12.00-13.00

Discussion of Reports

13.00-14.30

Lunch

14.30-16.00

Discussion of reports continued

16.00-16.30

Coffee break

16.30-16.45

Summary of discussions

16.45-17.15

Presentation of new members and vote on reports

17.15-17.30

Election of Assembly Bureau

18.00-19.00

Reception hosted by the Mediterranean Academy for Diplomatic Studies

19.30

Transport to La Valetta (meet in the lobby of the hotel)

20.00-

Dinner at Le Meridien Phoenicia, Valetta

SATURDAY 6 DECEMBER

3. Session: Workshops

9.00-10.00

Plenary Session

The State of the Barcelona process in the Light of Past Development, the Enlargement and the War in Iraq

Chair: Bahey El Din Hassan, CIHRS

Presentations

Gamal Soltan, Deputy Director, Al Ahram Centre for Strategic Studies, Cairo

Sophie Bessis, Writer, Professor, University of Sorbonne, Paris

10.00-10.15

Coffee break and change to Workshops

10.15-12.30

Workshops

Workshop 1: The present and future of the Barcelona process

Moderator: Sihem Bensedrine, CNLT

Rapporteur: Rabea Naciri, ADFM

Workshop 2: EMHRN Statutes

Moderator: Natasha Shawarib, SIGI

Rapporteur: Abdelaziz Bennani, REMDH

Workshop 3: Plan of Action of the EMHRN

Moderator: Colm Regan, 80:20

Rapporteur: Reyhan Yalcindag, IHD

12.30-14.00

Lunch

14.00-15.00

Report and discussion from Workshop 1

Chair: Driss El Yazami, LDH/ FIDH

15.00-16.00

Report and discussion from Workshop 3

Chair: Michel Tubiana, LDH

16.00-16.30

Coffee break

16.30-17.30

Report and discussion from Workshop 2 and vote on Statutes

Chair: Theocharis Papamargaris, EEDDA

19.30

Transport to Medina (meet in the lobby of the hotel)

20:00-

Evening: Dinner at Medina Restaurant, Medina

SUNDAY 7 DECEMBER

4. Session

9.00-10.00

a. Presentation of conclusions of debates on the Action Plan by rapporteurs

b. Presentation of next years working program and budget, Kamel Jendoubi

Chair: Christine Merkel, individual member

10.00-11.00

Discussion, adoption and vote on Action Plan, next year's budget and working program

Chair: Stefan Lütgenau, Bruno Kreisky Foundation

11.00-11.30

Coffee break

11.30-12.45

Candidates for EC, advisory board and external audition: Presentation and vote

Chair: Mokhtar Trifi, LTDH

12.45-13.00

Closing of meeting by EMHRN President

13.00-14.30

Lunch

ANNEX 2

LIST OF PARTICIPANTS THE 6TH GENERAL ASSEMBLY OF THE EMHRN

EXECUTIVE COMMITTEE

| Name | Organisation |
|----------------------|---|
| BENNANI, Abdelaziz | President EMHRN/REMDH |
| JENDOUBI, Kamel | Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie |
| GÜR, Nazmi | Human Rights Association, IHD |
| HASSAN, Bahey El-Din | Cairo Institute for Human Rights Studies |
| NORSTRÖM, Eva | Swedish Refugee Council |
| REGAN, Colm | 80.20 Education and Acting for a Better World |
| EL-YAZAMI, Driss | Ligue des Droits de l'Homme |

REGULAR MEMBERS (national and regional members)

National:

| Name | Organisation |
|--------------------------|--|
| ABDALLAH, Ghassan | Palestinian Human Rights Organization (PHRO) |
| AHMED, Arehmouch | Espace Associatif |
| AL-ASMAR Wadih | SOLIDA |
| AL-GHAZALI, Naser | Damascus Center for Theoretical and Civil Rights Studies (DCTCRS) |
| AMRANI, Said El | Jeunesse Maghebine |
| ASSAF, Georges J. | Beirut Bar Association |
| BARNEIS, Yemina | Public Committee against Torture in Israel (PCATI) |
| BENSEDRINE, Sihem | Ligue Tunisienne des Droits de l'Homme |
| BOUCHUIGUIR, Sliman | The Libyan League for Human Rights |
| BOUHARI, Youssef El | Organisation Marocaine des Droits Humains (OMDH) |
| CHERBIB, Mouhieddine | Fédération des Tunisiens pour une Citoyenneté des Deux Rives (FTCR) |
| ELEFThERIOU, Eleftherios | International Association for the Protection of Human Rights in Cyprus |
| GRECH, Omar | Mediterranean Academy of Diplomatic Studies |
| HEIN, Christopher | Italian Council for Refugees (CIR) |
| HOLSTE, Jens | Danish United Nations Association |
| HOURANI, Hani | Al Urdun Al Jadid Research Center |
| JABAREEN, Hassan | Adalah: The Legal Center for Arab Minority Rights in Israel |
| KYNSILEHTO, Anitta | Tampere Peace Research Institute (TAPRI) |
| LÜTGEnAU, Stefan August | Kreisky Foundation for Human Rights |
| MARINI, Ilaria | Italian Helsinki Committee |
| MOAWAD, Damia | René Moawad Foundation |
| MOHAMMED, Rahali | Ligue Algérienne des Droits de l'Homme |
| NAISSE, Ghayath | CDF-Syria |
| NACIRI, Rabéa Ghoumari | Association Démocratiques des Femmes au Maroc |

| | |
|--------------------------|---|
| PAPADOPOULOU, Antonia | Greek Helsinki Monitor |
| PAPAMARGARIS, Theocharis | Greek Committee for International Democratic Solidarity (EEDDA) |
| SAKALLA, Sohad | B'Tselem |
| SARHAN, Jihad | Law Society |
| SHABAN, Hussein | Arab Organisation for Human Rights in the UK |
| SHAQQURA, Hamdi | Palestinian Center for Human Rights |
| SLAVENSKY, Klaus | Danish Institute for Human Rights |
| TRIFI, Mokhtar | Tunisian Human Rights League |
| TUBIANA, Michel | Ligue des droits de l'Homme |
| YALCINDAG, Reyhan | Human Rights Association |
| YASAMSAL, Hayati | Rights and Freedoms Association |
| ZANGHI, Claudio | Intercenter |
| ZEIDAN, Muhammad | Arab Association for Human Rights (HRA) |

Regional:

| Name | Organisation |
|----------------------|--|
| ESSOULAMI, Saïd | Centre for Media Freedom Middle East and North Africa (CMF MENA) |
| HASSEN, Abdel Basset | Institut Arabe des Droits de l'Homme |
| TAMZALI, Wassila | Collectif 95 – Maghreb Egalité |

INDIVIDUAL MEMBERS

| Name | Organisation |
|----------------------|-------------------|
| BOZZO, Anna | Individual member |
| CHAMMARI, Khémaïs | Individual member |
| MERKEL, Christine M. | Individual member |
| NAISSE, Aktham | Individual member |
| STADIG, Per | Individual member |

ASSOCIATE MEMBERS

| Name | Organisation |
|------------------------|---|
| ALONZO-MAIZLISH, David | International Service for Human Rights (ISHR) |
| OTHMANI, Ahmed | Penal Reform International |
| SIMON, Uta | Amnesty International |
| WRZONCKI, Elin | FIDH |

NEW MEMBERS

| Name | Organisation |
|------|--------------|
|------|--------------|

| | |
|----------------------------------|--|
| BENCHIKH, Madjid , Regular | Comité international pour la paix la démocratie et les droits de l'Homme en Algérie (CIPA) |
| GEEN, Jennifer, Regular | Bar Human Rights Committee of England and Wales |
| MIVELAZ, Nathalie, Associate | World Organisation Against Torture |
| SHAWARIB, Natasha A., Regular | Sisterhood Is Global Institute, Jordan |
| SINIORA, Randa, Regular | Al-Haq |

OBSERVERS

| Name | Organisation |
|---------------------|---|
| AGIUS, Leslie | Foundation for International Studies |
| ALLAL, Mourad | NGO Platform for Euromed Civil Forum |
| HABASCH, Rima | Consultant |
| HAFIDH, Karim Falih | The Iraqi Human Rights Society |
| RHODES, Aaron | Consultant, IHF |
| RUD, Jon | Kurdish Working Group of EMHRN |
| SEADA, Hafez Abu | Egyptian Organization for Human Rights |
| SEMJONOVA, Larissa | Legal Information Centre for Human Rights |
| SJÖKVIST, Börje | Swedish Refugee Council |
| TROLLE, Eskil | Lawyer, HR Foundation draft statutes |

SPEAKERS

| Name | Organisation |
|------------------------|--|
| BESSIS, Sophie | Al Ahram Institute for Strategic Studies |
| PETERSEN, Ulrik | Auditor |
| SOLTAN, Gamal A. Gawad | Université de Sorbonne |

STAFF

| Name | Organisation |
|-------------------------------|---|
| GRENIER, Sandrine | Brussels Coordinator |
| HOLDEN, Patrick | Intern Brussels |
| JESSEN-KLIXBÜLL, Elaine | Accountant |
| JØRGENSEN, Marit Flø | Project Coordinator, HRE and Women's Rights |
| NIELSEN, Maibritt Damgaard | Administrative Coordinator |
| RASMUSSEN, Line Gamrath | Coordinator, Civil Forum and HR Foundation |
| ROOS, Marita | Coordinator, Internal communication and Palestine |
| SCHADE-POULSEN, Marc | Executive Director |

ANNEX 3

POLITICAL REPORT PRESENTED BY THE PRESIDENT OF THE EMHRN

Ladies and Gentlemen,

I have the pleasure of opening the proceedings of the 6th Assembly of the Euro-Mediterranean Human Rights Network. This Assembly is meeting eight years after the Barcelona Declaration, the founding charter of the Euro-Mediterranean Partnership. Is it necessary to recall that this Partnership aims at creating a zone of peace, prosperity and stability in the Mediterranean region? The 27 Partner States solemnly committed themselves to promote human rights and the development of the rule of law in their political systems. This project naturally gave rise to great hope for the Human Rights Movement in the region. Our Network was therefore established to allow the movement to contribute to the implementation of the Partnership's objectives.

Despite the short existence of the Network, established about 7 years ago, we can be very pleased with the ground that has been covered. Indeed, the activity report will be outlined for you, illustrating the importance of the work carried out during these last three years. However, much still needs to be done as regards the damages, the major challenges and constraints hindering the materialization of the Barcelona Declaration's objectives.

Ladies and Gentlemen,

The context of the struggle for Human Rights in the region has changed dramatically. This Assembly is taking place at a critical moment in the history of the international Human Rights movement. Indeed, is it necessary to recall, at the start of this century, the considerable aggravation of the overall challenges that this movement has to face and more particularly those within the Mediterranean region?

Peace in the region is jeopardized more than ever

The scores of successive American vetoes have resulted in neutralizing the United Nations in the Arab-Israeli conflict. After the recognized failure of the Oslo Process, the recent peace process for solving the Palestinian issue has reached a deadlock. Since the beginning of the 2nd Intifada, the Israeli army has carried out about 200 summary executions, systematically practising, among other serious violations, arbitrary detention and bombing of living quarters, disrespecting the Geneva Conventions and other international pacts and Human Rights Conventions. More than ever challenging the international community, the State of Israel is building the so-called Security Wall on the West Bank, aiming at imposing a status quo on the Palestinian Territories occupied in 1967. In this essentially colonial war conducted by an over-armed and unrestrained State, violence continues to cause victims among the civilian population.

In the same region, the war in Iraq carried out under the banner of unilateralism, has discredited the United Nations more than ever. Of course, this war has brought about the fall of one of history's most bloodthirsty dictatorships. This is beneficial in itself. However at what price, since for Human Rights advocates, the end cannot justify the means. The reasoning behind the intervention in Iraq may prevail tomorrow in Syria, in Iran and elsewhere, creating chaos in the Mediterranean region, encouraging extremism and terrorism, while undermining the foundations of the UN's institutional and juridical construction, painstakingly developed during the second half of the 20th century. We are forced to deplore that conversely to the UN successive resolutions on the struggle against terrorism and on human rights, those adopted on the same issues by the Security Council after the appalling attacks of 11 September 2001, do not at all mention the necessity to respect those rights. The Counter-terrorism Committee created by the Security Council coordinates measures taken by States, these being examined solely from an efficiency point of view. War crimes perpetrated during military operations in Afghanistan and Iraq, and so-called preventive measures such as the unlimited internment of hundreds of people in Guantanamo, are thus implicitly tolerated. In a number of countries in the region anti-terrorist legislation has restricted fundamental freedoms, the use of torture is almost systematic, trials are expeditious and fundamentally inequitable. The fight against terrorism has often resulted in the reinforcement of authoritarianism.

Facing the unilateralist drift, EU member States adopted opposite policies. The EU enlargement will make the adoption of a common foreign policy more uncertain. There is at any rate a risk that the Euro-Mediterranean Partnership development will be affected and the implementation of its objectives delayed, particularly in the socioeconomic field. In any case, Enlargement will imply a reevaluation of the Network's activities and structures.

Moreover, one must acknowledge the negative impact of the international environment on the Euro-Mediterranean Partnership and its main objective of creating a zone of peace and progress in the Mediterranean region. In general, and despite initiatives aiming at developing the Partnership, the Barcelona Process is virtually at a standstill.

The region's general human rights situation has not witnessed any substantial progress. On the contrary, there has been a regression in a majority of Partner countries, East and South of the Mediterranean. Immigration laws and regulations adopted in a number of European countries restrict fundamental human rights. Similarly the MEDA programme has not managed to reduce the serious economic and social distortions between North and South.

In the present context, it is obvious that the human rights advocacy task is severely put to test. However, the unremitting development of its work together with the strengthening of its credibility entitle the Network to pursue its specific contribution to the struggle in favour of human rights in the region.

Ladies and Gentlemen,

What were the Network's main activities during the last three years?

As regards the conflicts in the region, the Network clearly defined its strategy regarding the Palestinian issue at its General Assembly in Marseille. In synergy with its members in the Occupied Palestinian Territories and in Israel, it advocates the end of the occupation, the respect of the Geneva Convention and the creation of a democratic Palestinian State. The Network organized a mission on the Palestinian refugees in Lebanon and Jordan and published a report. Facing the deterioration of the situation during the three last years, the Network sent two missions to investigate into the working conditions of human rights advocates. Equally, it reinforced its coordination with international NGOs at the last session of the Commission on Human Rights in Geneva and at the Association Council meeting.

Concerning Iraq, unlike a number of international NGOs, the Network came down against the war. After the launching of the hostilities, and in the framework of the Commission on Human Rights, attempts failed to carry a policy statement of the Commission or at least to broaden the mandate of the special report on Iraq to incorporate violations perpetrated during the war. Even the proposal to organize a separate debate on Iraq was rejected.

The seminar organized at the end of August in the presence of delegates from the Iraqi Human Rights organisation was the opportunity for a positive dialogue on the role that the Network could play in the new Iraqi context and in all the countries making up the Middle East.

On the other hand, the Network's structure has been strengthened and its activities developed. Indeed, working groups have been set up on Human Rights education, on Palestine and on Justice. These bodies allowed developing the Network's activities in priority areas, in synergy with a number of member organisations. A management group, set up within the Executive Committee, contributed to increase the efficiency of the Network's organisation and work. At the beginning of September 2001, the opening of an office in Brussels represented an important step in the Network's development. Placed under the administrative responsibility of the Executive Director and politically supervised by the Vice-President, this office has increased the Network's visibility.

Amongst others, it allowed:

- To ensure the permanent representation of the Network in Brussels which lacked during the first years of the Network;
- To ensure regular contacts with the EU institutions and with international NGO representatives ;
- To reinforce the Network's interface role and lobbying activity towards the European Commission and Parliament, in relation with member organisations;
- To seek policy statements on serious human rights violations, jointly with other international NGOs, as well as to present reports at Association Council meetings.

The network managed to increase and diversify its resources, thereby consolidating its independence. Whereas during many years, the budget was largely funded by the European Commission, soon one third of our resources will come from independent foundations and from a number of European governments. Finances are regularly audited. The Network has also considerably improved its internal communication.

In the light of the Network's management since its establishment and of the debates at our last Assembly in Athens, a recasting of the Statutes has appeared to be necessary. Since then, the Executive Committee has worked on the issue. The draft amendments to the Statutes submitted for discussion propose important changes aiming at filling certain gaps and increasing the efficiency of EMHRN's organisation.

In parallel, since the Marseille General Assembly, important work has been carried out in 5 priority areas. In the framework of the activities in favour of human rights advocates and beyond the moral support of victims of violation undertaken by the Network, an important project has been set up. This is the Euromed Human Rights Foundation, in order to bring HR advocates basic temporary material support. Thanks to the support of DANIDA, this project was elaborated in about 18 months, in three phases:

- Negotiation and conclusion of an agreement with the funding body ;
- Elaboration of a feasibility study, following a field survey carried out by two resource persons ;
- Drafting of the Foundation's Statutes

Subject to the ratification of the EMHRN activity report by your Assembly, the Foundation will be operational at the beginning of next year.

In the context of the promotion of women's rights, and further to the work in the fringe workshops organized during our Marseille General Assembly, the report on *The integration of women's Rights from the Middle East and North Africa into the Euro-Mediterranean Partnership* particularly took stock of discrimination towards women in the Partner countries East and South of the Mediterranean and of the social and civic dynamics in favour of gender equality in the region. This report was discussed and enriched during the seminar which took place in Athens before our last General Assembly. An action plan was adopted and is now being initiated in the sub-regions. The report served also as basis for a meeting at the European Parliament.

In relation to the promotion of independent and equitable justice as the foundation of the rule of law, the Network cooperated for the first time with partner governments from North and South as well as with the University of Uppsala in Sweden in organizing a seminar on access to justice. In the presence of a representative of the European Commission, of the Swedish and Moroccan Ministers of Justice and of senior officials from a number of partner countries, university jurists, magistrates and lawyers discussed the main deficiencies of justice in the Southern countries. The seminar's proceedings have been published and the recommendations addressed to the European institutions and Partner governments. Steps were taken to promote these recommendations at the sub-committee of senior Justice and Home Affairs officials. Thanks to a funding agreement for the Network's work in this field, the EMHRN working group on justice was reinforced. Indeed, at a meeting held the day before our present Assembly, upon the proposal of two experts, the group adopted the outlines of a general report on justice in the Eastern and Southern Mediterranean countries. The report will support the work of an important seminar focusing on the independence of justice and on equitable trials, which will take place in the first months of 2004.

As regards socioeconomic and cultural rights, an unprecedented study analysed *The Human Rights Implications of the MEDA Programmes*, as the main instrument for EU financial support to its Mediterranean Partners. In November 2001, a training seminar was organized in Brussels on the basis of the report. The report had an important impact in Brussels and the European Commission services organized a meeting with the Network in order to comment and discuss its contents. The Commission accepted to take the Network's recommendations into consideration.

Finally, in relation to Human Rights education, the relevant working group held several meetings on the basis of the general document adopted at the Marseille Assembly. The group developed synergy between human rights bodies in the North and in the South. A number of projects are being implemented. In the beginning of September, a summer school was organized in Beirut in view of developing competences in the field of human rights education. Moreover, the

Network organized training sessions in cooperation with the human rights association in Algeria. It also organized such sessions for the Syrian human rights advocates, in coordination with the Committees for the Defence of Democratic Freedoms and Human Rights in Syria and thanks to the cooperation with the Cairo Institute for Human Rights Studies.

The success of the Uppsala conference on access to justice, the quality of the report on the MEDA programme's impact on human rights as well as that on women's rights in the Mediterranean, the initiatives taken in order to develop the human rights dimension in the Partnership process, the lobbying activities carried out continuously and more particularly at the meeting organized for the first time with the Committee of High Officials of the Barcelona Process, at the initiative of the Danish Presidency, and the meeting with the European Commission on the MEDA report, have all contributed to increase the Network's credibility and visibility.

Ladies and Gentlemen,

The General Assembly is the opportunity for a necessary evaluation of the Network's activity, during the discussion on the political and activity reports.

In spite of the importance of our gathered experience and beyond political, socioeconomic and cultural constraints, which hinder the Partnership's development, affecting the Network itself, a number of factors restrict our organization's progress.

Among these factors, three concern the entire human rights movement. This is the absence of :

- A strategy for the rehabilitation of international law and for the reform of the UN, whose decline would be disastrous for the protection and promotion of human rights ;
- The necessary clarification due to the confusion between terrorism, Islam and resistance to occupation ;
- Concerted action on the impact of the anti-terrorist fight on human rights, at international and regional levels.

The Network's activity lacks regularity in the follow-up of human rights violations in the Partner States. This shortcoming is directly related to missing or insufficient information on behalf of a majority of members and explains the difficulties encountered more particularly in the preparation of the report presented by the Network at the Association Council meetings.

Our organisation has not yet managed to become systematically involved in the protection of migrants' rights, an issue that mainly questions a number of European States.

Our organisation has not been able to ensure a follow-up to the Casablanca Declaration on freedom of association and to the two reports on the freedom of the press in Jordan, and develop a regional synergy on these issues. These two fundamental freedoms have been rightly underlined in the Barcelona Declaration and in the Association Agreements.

Their respect determines the emergence and strengthening of the human rights movement and the entire civil society in the East and South Mediterranean countries.

Finally, the Network's external communication, more particularly with the media in the Partner countries, still remains weak. This explains why the activities and policy statements of our organisation are not sufficiently known by the public. One must also admit that member capacity building is still sporadic and insufficient.

Considering, on the one hand, the positive implementation and experience gathered in the Network and, on the other hand, the shortcomings mentioned above, the action plan proposed to your Assembly by the Executive Committee for the coming four years is an ambitious one. It emphasizes awareness-raising and information activities, promoting advocacy and dialogue already begun with certain governments, member capacity building and participation, stronger networking which represents the *raison d'être* of our organisation. This action plan will certainly benefit from the amendments and enrichments stemming from the Assembly's proposals and debates.

Ladies and Gentlemen,

Indeed, the current international and regional environment is not favourable for the development of human rights in the Mediterranean region. Indeed, the Barcelona Partnership is confronted with serious challenges.

And it is also obvious that due to these negative developments, human rights advocacy in this region has become most difficult.

However, there is the advantage that the Network exists, persists and is gradually developing its activities. Whatever the constraints and hazards hindering the Euro-Mediterranean Partnership process, it offers an additional framework for the struggle towards peace and human rights, as well as the rule of law in Partner countries. The establishment of new regional or national mechanisms together with the European Commission's recent Communication on Human Rights and Democracy represent a valuable development. We must therefore make sure that this Communication does not go unheeded and is gradually implemented. Leaving the Partnership's future aside, the Network is in itself the sole reliable organisation in the Mediterranean region. The Network could considerably develop its activities through its members' cooperation. There is no need to recall that substantial progress in human rights and the establishment of the rule of law in a country largely depend on field action. This means that greater involvement of all member organisations represents the sine qua non condition for regional synergy development, stronger Network activity and the realization of the latter's objectives.

Ladies and Gentlemen,

I thank you for your attention and wish every success for our proceedings.

ANNUAL REPORT FROM AUDITORS

CONTENTS

Management's statement on the Annual Report
Auditor's report
Accounting policies
Profit and loss account
Balance sheet
Notes

MANAGEMENT'S STATEMENT ON THE ANNUAL REPORT

In the opinion of the Management, all information material to the assessment of the Association's financial position, the result for the year and the financial development is disclosed in the financial statements and in this report.

After the balance sheet date no significant events have occurred which are considered to have a material effect on the assessment of financial statements.

Main activity

The activity of the Association consists of protection and promotion of human rights in the Euro-Mediterranean region. For further description of the activities, we refer to the "Annual narrative report", which can be requested at the office in Copenhagen.

The financial development and activities through 2002

The financial development did not differ from expectations the previous year.

The expected development

For the financial year 2003, the management expects an activity that levels or exceeds 2002. The profit and loss account is expected to show a result of app. TDKK 0.

Copenhagen, 2003
Management
Chairman

AUDITOR'S REPORT

To the management of Euro Mediterranean Human Rights Network

We have audited the Annual Report of Euro Mediterranean Human Rights Network for the financial year 2002.

The Annual Report is the responsibility of Association's Management. Our responsibility is to express an opinion on the Annual Report based on our audit.

Basis of Opinion

We conducted our audit in accordance with Danish Auditing Standards. Those standards require that we plan and perform the audit to obtain reasonable assurance that the Annual Report is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the Annual Report. An audit also includes assessing the accounting policies applied and significant estimates made by Management, as well as evaluating the overall annual report presentation. We believe that our audit provides a reasonable basis for our opinion.

Our audit has not resulted in any qualification.

Opinion

In our opinion, the Annual Report gives a true and fair view of the financial position at 31 December 2002 of the Association and of the results of the Association's operations for the financial year 2002 in accordance with the Danish Financial Statements Act.

Copenhagen, 2003
PricewaterhouseCoopers

Jacob F Christiansen
State Authorised Public Accountant

Øjvind Andersen Clement
State Authorised Public Accountant

ACCOUNTING POLICIES

Basis of accounting

The Annual Report of Euro Mediterranean Human Rights Network has been prepared in accordance with Danish accounting legislation and generally accepted accounting principles.

The amounts in Euro have been calculated on the basis of an exchange rate of DKK 7.45.

PROFIT AND LOSS ACCOUNT

Recognition of income

Income is recognised as projects are completed according to the percentage-of-completion method.

Expenses paid prior to the receipt of subsidy commitments are capitalised. Income and expenses are recognised at the date of receipt of subsidy commitments and in the period to which the subsidy relates.

BALANCE SHEET

Debtors

Debtors are valued according to an individual assessment of the creditworthiness of the debtors.

Liabilities

Liabilities are valued at nominal value.

Profit and loss account 1 January 2002 - 31 December 2002

| | Note | 2002 | 2002 |
|---|------|------------------|----------------|
| | | DKK | Euro |
| Membership fees | | 40.764 | 5.472 |
| Subsidies received | 1 | 5.610.627 | 753.104 |
| Total operating income | | 5.651.391 | 758.576 |
| Salaries, wages and fees | 2 | 2.272.264 | 305.002 |
| Travelling and transportation | 3 | 2.251.642 | 302.234 |
| Activity expenses | 4 | 715.456 | 96.034 |
| Administrative expenses | 5 | 356.855 | 47.900 |
| Profit/(loss) before financial items | | 55.175 | 7.406 |
| Financial income | 6 | 80.409 | 10.793 |
| Financial expenses | 7 | 14.411 | 1.934 |
| Profit/(loss) for the year | | 121.173 | 16.265 |
| Distribution of profit | | | |
| The following amount is available for distribution: | | | |
| Retained profit in previous years | | 87.314 | 11.720 |
| Profit/(loss) for the year | | 121.173 | 16.265 |
| Available for distribution | | 208.487 | 27.985 |
| Which is proposed distributed as follows: | | | |
| Retained profit/(loss) | | 208.487 | 27.985 |
| | | 208.487 | 27.985 |

Balance sheet 31 December 2002

Assets

| | Note | 2002 | 2002 |
|--------------------------------------|------|-------------------|------------------|
| | | DKK | Euro |
| Debtors, subsidies | | 3.409.376 | 457.634 |
| Debtors | | 2.643 | 355 |
| Prepaid expenses and deferred income | | 327.086 | 43.904 |
| Debtors | | 3.739.105 | 501.893 |
| Cash at bank and in hand | 8 | 11.605.528 | 1.557.789 |
| Total assets | | 15.344.633 | 2.059.682 |

Balance sheet 31 December 2002

Liabilities and equity

| | Note | 2002 | 2002 |
|-------------------------------|------|----------------|---------------|
| | | DKK | Euro |
| Retained profit/(loss) | | 208.487 | 27.985 |
| Equity | 11 | 208.487 | 27.985 |
| Current account, Danish State | | 12.403.571 | 1.664.909 |
| Accrued subsidies | 9 | 1.578.827 | 211.923 |
| Carry-forward activities | | 271.107 | 36.390 |
| Other liabilities | 10 | 779.289 | 104.603 |

| | | |
|-------------------------------------|-------------------|------------------|
| Creditors | 103.352 | 13.873 0 |
| Current liabilities | 15.136.146 | 2.031.697 |
| Total liabilities | 15.136.146 | 2.031.697 |
| Total liabilities and equity | 15.344.633 | 2.059.682 |

Notes to the financial statements

| | 2002 | 2002 |
|--|------------------|----------------|
| | DKK | Euro |
| 1 Subsidies received | | |
| Danida 2002 | 600.000 | 80.537 |
| EU Commission | 4.610.227 | 618.822 |
| EAPPI projekt | 61.797 | 8.295 |
| Rule of Law | 47.392 | 6.361 |
| Folkekirkens Nødhjælp | 74.328 | 9.977 |
| Enkefru Plums støttestofond | 75.000 | 10.067 |
| Bøll Foundation | 75.076 | 10.077 |
| Friedrich Ebert Stiftung | 66.807 | 8.967 |
| | 5.610.627 | 753.104 |
| 2 Salaries, wages and fees | | |
| Salaries and wages | 1.226.775 | 164.668 |
| Other salaries | 684.848 | 91.926 |
| Pension | 153.141 | 20.556 |
| Audit assistance | 207.500 | 27.852 |
| | 2.272.264 | 305.002 |
| 3 Travelling and transportation | | |

| | | |
|--|------------------|----------------|
| Per Diem | 715.612 | 96.055 |
| Flights | 1.220.120 | 163.774 |
| Local transportation | 86.357 | 11.592 |
| Rent of office | 182.623 | 24.513 |
| Working lunch, receptions, coffee breaks | 42.805 | 5.746 |
| Miscellaneous | 4.125 | 554 |
| | <hr/> | <hr/> |
| | 2.251.642 | 302.234 |
| | <hr/> | <hr/> |
| | 2002 | 2002 |
| | <hr/> | <hr/> |
| | DKK | Euro |
| 4 Activity expenses | | |
| Translations | 226.022 | 30.339 |
| Interpretation | 193.286 | 25.944 |
| Invitations etc. | 66.847 | 8.973 |
| Preparation of reports | 151.029 | 20.272 |
| Purchase of Office Equipment | 21.243 | 2.851 |
| Other activity expenses | 57.030 | 7.655 |
| | | 0 |
| | <hr/> | <hr/> |
| | 715.456 | 96.034 |
| | <hr/> | <hr/> |
| 5 Administrative expenses | | |
| Insurance | 7.624 | 1.023 |
| Office equipment | 1.981 | 266 |
| Communication | 38.353 | 5.148 |
| Advertising | 6.000 | 805 |
| Charges/postage | 18.013 | 2.418 |
| Cash differences | 4.511 | 606 |
| Administration DCHR | 280.373 | 37.634 |
| | <hr/> | <hr/> |
| | 356.855 | 47.900 |
| | <hr/> | <hr/> |
| 6 Financial income | | |
| Interest income, banks | 80.409 | 10.793 |
| | <hr/> | <hr/> |

| | | |
|---|-------------------|------------------|
| | 80.409 | 10.793 |
| | <hr/> | <hr/> |
| 7 Financial expenses | | |
| Currency adjustments | 14.411 | 1.934 |
| | <hr/> | <hr/> |
| | 14.411 | 1.934 |
| | <hr/> | <hr/> |
| | 2002 | 2002 |
| | <hr/> | <hr/> |
| | DKK | Euro |
| 8 Cash at bank and in hand | | |
| Jyske Bank 1116283 | 2.714.779 | 364.400 |
| Jyske Bank 1128866 | 1.659.309 | 222.726 |
| Jyske Bank 1126720 | 6.989.388 | 938.173 |
| Jyske Bank 1153625 | 4 | 1 |
| Brussels | 241.054 | 32.356 |
| BG Bank | 994 | 133 |
| | <hr/> | <hr/> |
| | 11.605.528 | 1.557.789 |
| | <hr/> | <hr/> |
| 9 Accrued subsidies | | |
| Accrued EU-subsidies beginning of period | 1.764.817 | 236.888 |
| Remainer of EU-subsidies 01/02 | 1.841.489 | 247.180 |
| Accrued EU-subsidies june - december 2002 | 2.582.748 | 346.678 |
| | <hr/> | <hr/> |
| | 6.189.054 | 830.746 |
| | <hr/> | <hr/> |
| Revenue recognized | -4.610.227 | -618.822 |
| | <hr/> | <hr/> |
| | 1.578.827 | 211.923 |
| | <hr/> | <hr/> |
| 10 Other liabilities | | |
| Current account SKB | 60.120 | 8.070 |

| | | |
|-----------------------|----------------|----------------|
| Current account DCHMR | 678.431 | 91.065 |
| Various liabilities | 40.738 | 5.468 |
| | <hr/> | <hr/> |
| | 779.289 | 104.603 |
| | <hr/> | <hr/> |

11 Equity

The movements in the equity are specified as follows:

| | Retained profit/(loss) | Total | Euro |
|------------------------------|---------------------------|----------------|---------------|
| | <hr/> | <hr/> | <hr/> |
| Equity 1 January | 87.314 | 87.314 | 11.720 |
| Profit/(loss) for the period | 121.173 | 121.173 | 16.265 |
| | <hr/> | <hr/> | <hr/> |
| | 208.487 | 208.487 | 27.985 |
| | <hr/> | <hr/> | <hr/> |

ANNEX 4b

FINANCIAL REPORT AND FORECAST 2004

Overview: EMHRN Finances – Aperçu : Finances du REMDH

| | 1 | 2 | 3 | 1+2+3 | 4 | 5 | 4+5 | 6 | |
|--|------------------|------------------|------------------|------------------------|----------------------------------|---------------------------|---|-------------------------|----------------|
| Produit/ Product (Euro) | 2000- 2001 | 2.002 | 2.003 | TOTAL 2000- 2003 | Until June/ a juin 2004 | TOTAL - EU Contract | Other Income/ autres revenus 2004 | Budget Total 2004 | Civil Forum |
| REPORT A NOUVEAU résultat année -1 | | 492.307 | 496.401 | | 354.768 | 37.451 | 74.902 | 429.670 | |
| EC/CE | 1.107.243 | 596.209 | 596.209 | 2.299.661 | 255.517 | 2.555.178 | 241.871 | 497.388 | 99.810 |
| % | 83% | 81% | 65% | 77% | 96% | 78% | 42% | | |
| SIDA | 0 | 0 | 147.595 | 147.595 | 0 | 147.595 | 0 | 0 | |
| % | 0% | 0% | 16% | 5% | 0% | 5% | 0% | | |
| DANIDA | 67.114 | 80.537 | 117.258 | 264.909 | 0 | 264.909 | 105.670 | 105.670 | |
| % | 5% | 11% | 13% | 9% | 0% | 8% | 18% | | |
| FORD | 46.972 | 0 | 41.484 | 88.456 | 0 | 88.456 | 0 | 0 | |
| % | 4% | 0 | 5% | 3% | 0% | 3% | 0% | | |
| Divers | 112.492 | 59.456 | 19.000 | 190.948 | 10.000 | 200.948 | 234.491 | 244.491 | 57.220 |
| % | 8% | 8% | 2% | 6% | 4% | 6% | 40% | | |
| <i>Difference EC Contract</i> | | | | | | 94.384 | | | |
| TOTAL PRODUITS (I) | 1.333.821 | 736.202 | 921.546 | 2.991.569 | 265.517 | 3.257.086 | 582.032 | 1.277.219 | 157.030 |
| % | 100% | 100% | 100% | 100% | 100% | 100% | 100% | | |
| TOTAL PRODUITS +REPORT A NOUVEAU (II) | 1.333.821 | 1.228.509 | 1.417.947 | 354.697 | 620.285 | 3.294.537 | 656.934 | 1.277.219 | 157.030 |

CHARGES
(FORMAT CE)

| | | | | | | | | | |
|-----------------------------------|---------|---------|---------|-----------|---------|-----------|---------|---------|--------|
| Staff | 305.794 | 259.227 | 367.189 | 932.210 | 165.357 | 1.097.567 | 330.628 | 495.985 | 37.745 |
| % | 36% | 35% | 35% | 35% | 28% | 34% | 48% | | |
| Per diem | 131.973 | 96.055 | 159.763 | 387.791 | 105.940 | 493.731 | 105.670 | 211.610 | 22.200 |
| % | 16% | 13% | 15% | 15% | 18% | 15% | 15% | | |
| Activités, Activity | 329.910 | 329.226 | 471.116 | 1.130.252 | 289.166 | 1.419.418 | 208.087 | 497.253 | 87.271 |
| % | 39% | 45% | 44% | 43% | 50% | 44% | 30% | | |
| Administration | 73.837 | 47.600 | 65.111 | 186.548 | 22.371 | 208.919 | 50.000 | 72.371 | 9.814 |
| % | 9% | 7% | 6% | 7% | 4% | 6% | 7% | | |
| <i>Difference EC Contract</i> | | | | | | 94.384 | | | |

| | | | | | | | | | |
|--------------------------------|-----------------|-----------------|-------------------|-------------------|---------|-------------------|-----------------|-----------|---------|
| TOTAL CHARGES (III) | 841.514 100% | 732.108 100% | 1.063.179 100% | 2.636.801 100% | 582.834 | 3.219.635 100% | 694.385 100% | 1.277.219 | 157.030 |
| RESULTAT = (II) - (III) | 492.307 | 496.401 | 354.768 | | 37.451 | 74.902 | -37.451 | 0 | |

**DEPENSES
PAR
ACTIVITES**

| | | | | | | | | | |
|--|----------------|----------------|----------------|----------------|----------------|------------------|----------------|----------------|---------|
| Organisation REMDH, EMHRN | 242.696 29% | 164.104 22% | 224.476 21% | 631.276 24% | 53.760 9% | 685.036 21% | 157.849 23% | 211.609 17% | |
| Activités par pays, activity per country | 89.229 11% | 41.581 6% | 91.103 9% | 221.913 8% | 75.369 13% | 297.282 9% | 75.015 11% | 150.384 12% | |
| Activités par thèmes, themes | 148.854 18% | 249.412 34% | 403.319 38% | 801.585 30% | 283.112 49% | 1.084.697 34% | 235.023 34% | 518.135 41% | 122.971 |
| Secrétariat | 292.800 35% | 229.411 31% | 279.241 26% | 801.452 30% | 148.222 25% | 949.674 29% | 176.498 25% | 324.720 25% | 24.245 |
| Admini-stration | 67.935 8% | 47.600 7% | 65.111 6% | 180.646 7% | 22.371 4% | 203.017 6% | 50.000 7% | 72.371 6% | 9.814 |
| <i>Difference EC Contract</i> | | | | | | 94.384 | | | |
| TOTAL DEPENSES (IV) | 841.514 | 732.108 | 1.063.250 | 2.636.872 | 582.834 | 3.219.706 | 694.385 | 1.277.219 | 157.030 |

| | | | | | | | | | |
|-------------------------------|---------|---------|---------|---------|--------|--------|---------|---|---|
| RESULTAT = (II) - (IV) | 492.307 | 496.401 | 354.697 | 354.697 | 37.451 | 74.831 | -37.451 | 0 | 0 |
|-------------------------------|---------|---------|---------|---------|--------|--------|---------|---|---|

FINANCIAL ESTIMATE 2003

| EMHRN Finances 2003 / REMDH Finances 2003 | | | | | |
|---|-----------------------|---------------------|----------------|--------------------------|---------------|
| Expenses/ dépenses Activités / Activities 2001-2004 | 1a: 2000-2001 € | 1b: 2000-01 € | 2 € | 3: 2003 Estimate € | Percent % |
| 1. Organisation du REMDH / Organisation of the EMHRN | | | | | |
| a. Assemblée Générale / General Assembly | 80.564 | | 114.138 | 143.444 | |
| b. Comité Exécutif / Executive Committee | | | | | |
| b1. Réunions / Meetings | 85.214 | | 35.585 | 60.975 | |
| b2. Activités des membres / Member Activities | 2.650 | | 9.009 | 11.460 | |
| c. Développement des compétences/ Capacity building and/ et media | 0 | | 0 | 0 | |
| c1. Séminaire de formation / Training Seminar | 86.144 | | 1.455 | 305 | |
| c2. Website + Member news + Web news, PR | 19.786 | | 4.620 | 8.292 | |
| Sous total 1 / Subtotal 1 | 274.358 | 242.696 | 164.807 | 224.476 | 21,11% |
| 2. Activités du REMDH / EMHRN Activities | | | | | |
| a. Par Pays / By country | | | | | |
| Palestine/ Palestine | 17.011 | | 0 | 14.135 | |
| Turquie / Turkey | 8.315 | | 651 | 10.533 | |
| Egypte/ Egypt | 3.128 | | 1.869 | 5.075 | |
| Liban/ Lebanon | 12.025 | | 127 | 2.583 | |
| Israël/ Israel | 0 | | 7.329 | 1.745 | |
| Syrie / Syria | 5.693 | | 10.040 | 29.617 | |
| Tunisie/ Tunisia | 23.249 | | 5.208 | 11.704 | |
| Algérie/ Algeria | 8.748 | | 3.031 | 15.026 | |
| Maroc/ Morocco | 3.264 | | 118 | 432 | |
| Jordanie/ Jordan | 17.823 | | 2.744 | 0 | |
| Cyprus | 0 | | 379 | 0 | |
| Iraq | | | 0 | 252 | |
| Soustrtotal 2 / Subtotal 2 | 99.256 | 89.229 | 31.494 | 91.103 | 8,57% |
| 3. Activités par thème et Activités clés / Activities by themes and Key activities | | | | | |
| a. Liberté d'association/ Freedom of Association | 27.815 | | 3.497 | 10.486 | |
| b. Migration et réfugiés, atelier, missions / Migration and refugees, seminar, missions | 6.043 | | 61.723 | 3.365 | |
| c. Droits des femmes / Women's rights | 18.658 | | 40.119 | 37.572 | |
| d. Education, Droits de l'Homme / Education, Human Rights | 26.659 | | 6.508 | 60.416 | |
| e. Droit à l'auto-détermination / Right to self-determination | 28.669 | | 28.981 | 33.027 | |
| f. Accès à la justice / Access to Justice | 2.567 | | 4.766 | 55.710 | |

| | | | | | |
|---|----------------|----------------|----------------|------------------|----------------|
| g. Bureau Bruxelles / Brussels Office + Mécanismes droits de l'Homme / Human Rights Mechanisms | 38.443 | | 49.804 | 88.982 | |
| h. Droits Economiques et Sociaux/EcoSoc Rights | 0 | | 21.364 | 6.779 | |
| i. Forum Civil / Civil Forum:euromed&arab | 2.592 | | 29.627 | 77.483 | |
| j. Droits de l'Homme et Terrorisme / Human Rights & Terrorism | 0 | | 142 | 29.499 | |
| Soustotal 3 / Subtotal 3 | 151.446 | 148.854 | 246.532 | 403.319 | 37,93% |
| Soustotal 2 et 3 / Subtotal 2 & 3 | 250.702 | 238.083 | 278.026 | 494.422 | 46,50% |
| 4. Administration du REMDH / The EMHRN Administration | | | | | |
| a. Direction exécutive / The Executive body | 120.046 | | 61.887 | 61.538 | |
| b. Coordination du Projet/ Project coordination | 96.702 | | 66.726 | 72.190 | |
| c. Management coordination | 80.814 | | 67.710 | 66.184 | |
| d. Réunions / coordination de voyages et comptabilité/ Meetings / Travel coordination/ auditing/ accounting | 20.635 | | 21.393 | 47.535 | |
| e. Voyages / Travels/ meetings etc | 0 | | 12.235 | 19.714 | |
| f. Loyer / Office rent | 9.988 | | 11.724 | 12.081 | |
| Soustotal 4 /Subtotal 4 | 328.185 | 292.800 | 241.675 | 279.241 | 26,26% |
| Soustotal 1+2+3+4 /Subtotal 1+2+3+4 | 853.245 | 773.579 | 684.508 | 998.140 | 93,88% |
| 5. Administration | 63.729 | 67.935 | 47.600 | 65.111 | 6,12% |
| 6. Total / Grand Total | 916.974 | 841.514 | 732.109 | 1.063.251 | 100,00% |

Rate of exchange:- 7,45

ANNEX 5

DECISIONS TAKEN AT THE 6TH GENERAL ASSEMBLY OF THE EMHRN

VOTES ON POLITICAL REPORT, ACTIVITY REPORT AND FINANCIAL REPORT

- It was decided to separate the Euro-Mediterranean Foundation from the activity report and discuss the Foundation in the workshop on statutes the following day and then subsequently put it to vote in the plenary.
- Political report adopted with one abstention
- Activity report adopted by unanimous vote
- Financial report adopted by unanimous vote

MEMBERSHIP

New members:

- Al-Haqq: membership as regular member of the EMHRN accepted by unanimous vote
- Comité International pour la Paix en Algérie (CIPA): membership as regular member accepted by unanimous vote
- Bar Human Rights Committee of England and Wales (BHRC): membership as regular member adopted by unanimous vote
- Sisterhood is Global Institute (SIGI), Jordan: membership as regular members accepted by unanimous vote
- Organisation Mondiale Contra la Torture (OMCT): membership as associate member accepted by unanimous vote

Termination of membership:

- LAW's membership cancelled. If LAW can present the required documents, then the organisation can reapply for membership.
- Forum des citoyens de la Méditerranée's membership was terminated as the organisation has ceased to exist.

ASSEMBLY BUREAU AND RAPPORTEURS

- Driss El-Yazami, Stefan Luetgenau, Christine Merkel, Mokhtar Trifi were elected to the Assembly Bureau
- Hamdi Shaqqura and Madjid Benchick were elected as rapporteurs

STATUS OF THE EMHRN

See specific summary of the decisions regarding the adoption of the proposed changes to the statutes.

ELECTION TO THE EXECUTIVE BODIES

- Kamel Jendoubi was elected as president of the EMHRN with 40 votes in favour, 0 against, 1 abstention (41 total votes)
- Eva Norstroem was elected as vice president of the EMHRN with 38 votes in favour, 1 against, 1 abstention and 2 blank (42 total votes)
- Theocharis Papamargaris was elected as treasurer of the EMHRN with 23 votes in favour, while Hayati Yasamsal received 10 votes, Antonio Stango 7 votes, and 2 abstentions (42 total votes)

The following were elected to the EMHRN Executive Committee:

- Randa Siniora with 30 votes
- Klaus Slavensky with 27 votes
- Rabéa Naciri with 26 votes
- Bahey El-Din Hassan with 25 votes
- Colm Regan with 23 votes
- Michel Tubiana with 23 votes
- Reyhan Yalcindag with 22 votes

The following were not elected to the Executive Committee:

- Natasha Shawarib (19 votes)
- Hayati Yasamsal (15 votes)
- Sihem Bensedrine (15 votes)
- Sliman Bouchuiguir (13 votes)
- Wadih-Ange Al-Asmar (8 votes)
- Antonio Stango (8 votes).

EURO-MEDITERRANEAN HR FOUNDATION

- The EC was given the mandate to finalise the statutes in the light of the discussions at the GA

PLAN OF ACTION 2004-2008, WORKPLAN 2004, BUDGET

- Plan of action for 2004-2008 unanimously adopted (for discussion, see specific summary of Plan of Action discussion)
- Workplan for 2004 unanimously adopted
- Budget was unanimously adopted (the GA was informed that the budget is a forecast only as the EMHRN's contract with the EU ends June 2004)

ANNEX 6

FINAL AMENDMENTS TO THE EMHRN STATUTES (Adopted by the General Assembly at its meeting in Malta, 5-7 December, 2003)

I. NAME AND STATUS

1.1. The name of the organisation is: Euro-Mediterranean Human Rights Network (the "Network").

The Secretariat of the Network is based in Copenhagen, Denmark.

1.2 The headquarters of the Network are situated in Copenhagen (Denmark)

The headquarters can be moved upon a resolution adopted by the General Assembly. In the case of extreme emergency, the transfer of the secretariat can be decided by the Executive Committee. This decision must be ratified by the General Assembly.

1.3 The Network is an association as defined by the laws of the country in which the headquarters are located

It can establish ad hoc structures in other countries.

1.4 The Network is a non-partisan and non-profit-making organization

No part of its net income shall accrue to the benefit of any private organisation or individual.

II. OBJECTIVES

2.1 The objectives of the Euro-Mediterranean Human Rights Network (the "Network") are:

- 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.

III. MEMBERS

3.1 Classification

The members of the Network shall be classified according to the following categories, each with the rights, privileges and obligations set out in these Statutes:

a) Regular Members

i Regular Members shall consist of national or regional non-governmental organisations, academic institutions and national human rights institutions which are recognized by the General Assembly as belonging to one of the 27 Partner States, or to other potential Partner States of the Euro-Mediterranean Partnership, and which are recognized as being independent of government authorities, non-partisan and active in at least one of the human rights issues contained in the Barcelona Declaration. They must accept the statutes of the Network and co-operate with the existing members of the Network. In order to be recognized as such, a Regular Member shall, prior to being recognized, have demonstrated its ability to organise and maintain basic activities of the Network and its willingness to involve itself in the overall regional aspects of the Euro-Mediterranean Partnership.

ii Any organisation or institution wishing to become a Regular Member of the Network shall so notify the Secretariat and, at least three months prior to the General Assembly, shall deliver to the Secretariat:

- A letter of motivation;
- A copy of its statutes or other constituent documents;
- A report on the activities of their organisation or other similar and relevant material relating to its work over the last few years;
- A declaration stating that the applicant subscribes to the statutes of the EMHRN and is willing to co-operate with its members;
- A written commitment to inform the EMHRN regularly of the activities of the member organisation or institution;
- A letter of recommendation signed by three EMHRN Regular Member organisations

b) Individual Members

i. Any individual devoted to human rights principles in the region may become a Member of the Network. In order to be recognized as such, an Individual Member shall, prior to recognition, have demonstrated activities to protect and promote human rights which qualify him/her to become a resource person for the EMHRN within the fields of its activities.

ii. Any individual wishing to become an Individual Member of the Network shall so notify the Secretariat and, within the same time frame as set out in 3.1.a.ii, shall deliver to the Secretariat:

- A letter of motivation
- A curriculum vitae
- A declaration stating that the applicant subscribes to the statutes of the EMHRN and is willing to co-operate with its members,
- A letter of recommendation signed by three EMHRN Regular Members.

iii. Admittance procedures are the same as for Regular Members

iv. An Individual Member cannot be the representative of a Regular Member organisation at the same time.

v. Individual Members may attend meetings of the General Assembly and may speak thereat but shall not be entitled to vote.

c) Associate Members

i Associate status may be granted to organisations and institutions from non- Partner States, and to organisations and institutions that are not able to join the Network as full and active members. The criteria set out in section 3.1.a. shall apply to Associate Members.

ii Associates have no vote but are entitled to participate in meetings of the General Assembly, and are entitled to speak thereat.

d) 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 may be recognized as Honorary Members by the General Assembly after a proposal has been put forward by the executive committee or by a quarter of the regular members.

e) Admission

The Executive Committee shall be responsible for recommending the adoption of new Regular Members, Individual Members, Associate Members and Honorary Members at the General Assembly. The recommendation shall take place after consultation with Members of the Network and will enter into force upon ratification by the General Assembly.

3.2 Termination of Membership

a) Membership of the Network shall be terminated as follows:

- i. An Organisation or Institution of the Network shall cease to be a Member or Associate Member if:
- It submits to the Executive Committee through the Secretariat a written resignation signed by its legal representative
 - The General Assembly, after recommendation by the Executive Committee, deems that
 - It has ceased to be active in the fields of activities defined by its statutes
 - It is not fulfilling the statutory obligations inherent to its membership.

ii. The Executive Committee may suspend the membership of a Regular Member or an Associate Member until the next meeting of the General Assembly for any of the reasons set out in this paragraph, after informing the member in question and allowing the member to comment on the grievances that he/she is being blamed for.

b) An Individual Member shall lose his/her member status if the General Assembly deems that he or she has ceased meaningful activity in devotion to the human rights principles of the Barcelona Declaration, or if the General Assembly deems that he or she has violated the principles of the Network.

c) An Honorary Member shall cease to be such upon his death or resignation, or if the General Assembly deems that he or she has violated the principles of the Network.

3.3 Obligations of Members

a) All members shall advance the interests of the Network and avoid any action which might discredit or damage the Network or interfere with the achievement of its aims.

b) The Regular Members shall present to the Secretariat an annual report of their activities especially in relation to the objectives of the Network.

IV. CONSTITUENT BODIES

4.1 Enumeration

The constituent bodies of the Network shall consist of a General Assembly, an Executive Committee and a Secretariat.

4.2. The General Assembly

4.2.1 Powers

The General Assembly is the supreme organ of the Network. It therefore has the power to deliberate on all issues relating to the objectives of the association, and this within the limits of the applicable law. Notably, it has the power to:

a) Elect and remove the President and the members of the Executive Committee or discharge them at an extraordinary meeting;

b) Elect members of the advisory board;

c) Admit and expel Regular, Individual, Associate and Honorary Members;

d) Establish the general orientation of the Network's action and verify that the activities of the Network conform with its objectives and statutes;

e) Approve or reject the Report of Activities and the Financial Report prepared by the Executive Committee for the General Assembly;

f) Approve or reject the programme of activities and the budget for the following two years;

g) Rule on appeals formulated against the decisions of the Executive Committee;

h) Adopt any amendments to the Network's statutes;

i) Decide, in an extraordinary session, to dissolve the Network after a proposition made by the Executive Committee.

4.2.2 Participation

The following persons may attend meetings of the General Assembly:

- a) Persons designated by the Regular Members at any given time to be their representatives at the General Assembly;
- b) Individual Members;
- c) Persons designated by the Associate Members at any given time to be their representatives at the General Assembly;
- d) Honorary Members;
- e) Guests.

4.2.3 Meetings

- a) The General Assembly meets every two years. The date and place of the meeting are determined by the Executive Committee.
- b) The Executive Committee can convene an extraordinary meeting of the General Assembly upon the request of a third of the ordinary members, stating the reasons for convening such a meeting. The meeting must take place within ten weeks of the request being received.
- c) Meetings of the General Assembly can take place in any of the Partner States.

4.2.4 Notice; Agenda

- a) Each Regular, Individual, Associate and Honorary Member shall be entitled to at least 30 day's written notice of each meeting of the General Assembly, stating the date, time and place of the meeting.
- b) The Executive Committee prepares the agenda for each meeting of the General Assembly. The Secretariat shall then deliver a copy of the agenda to each officer of the Network, to each Regular, Individual, Associate and Honorary Member at least 21 days before the meeting. In addition to the items decided upon by the executive director in consultation with the executive committee, the agenda will include any item registered by a member's demand (notably, any proposal to amend these statutes) formally addressed to the executive director at least 22 days before the date of the meeting.
- c) Except with the consent of two-thirds of the Regular Members present, no item may be discussed at any meeting of the General Assembly unless set out in the agenda therefore.

4.2.5 Voting

Only delegates designated by Regular Members are entitled to vote at meetings of the General Assembly. Each Regular Member shall be entitled to one vote only, regardless of the number of its delegates.

4.2.6 Quorum

At each meeting of the General Assembly, the presence of at least half the delegates of the Regular Members constitutes a necessary quorum for the regularity of the Network's decisions.

4.2.7 Vote Required to Take Action

a) All resolutions of the regular or extraordinary General Assembly shall be taken by the affirmative vote of an absolute majority (fifty percent plus one) of the Regular Members present. However, the affirmative vote of two-thirds of the Regular Members present is required to:

Admit or expel a Regular, Individual, Associate or Honorary Member;

Decide the transfer of headquarters;

Modify the statutes of the Network; or to

Decide to dissolve the Network.

b) In the case of a tie, there will be a second vote. If the votes are still tied, the proposal will be rejected.

4.3 Executive Committee

4.3.1 Powers

Subject to the authority of the General Assembly and between meetings of that body, the Executive Committee shall issue general directives for the activities of the Network and shall consult with Regular Members on important issues relating to Network policy. In particular, it shall be the responsibility of the Executive Committee to:

a) Prepare, in collaboration with the Executive Director, a draft programme of activities for two years, to be submitted to the General Assembly meeting;

b) Prepare a draft two-year programme of activities in co-operation with the Executive Director for submission to the meeting of the General Assembly;

c) Elaborate a preliminary two-year budget for the Network;

d) Submit to the members the Network's annual Report of Activities and annual Financial Report;

e) Create working committees, and where necessary, establish ad hoc or permanent working groups to design specific policies and programmes and advise the Executive Committee and the Executive Director thereon, and ensure the effective delivery of the mandate and agenda of the Network.

f) Oversee the work of the various Network structures or working groups charged with specific roles;

g) Enhance and facilitate communication among the members of the Network and between the Network and the institutions of the Euro-Mediterranean Partnership;

h) Recommend to the General Assembly the expulsion of a member who has failed in its obligations; and

i) Exercise all powers not specifically given to the General Assembly.

In addition, in circumstances where action is required by the General Assembly but where there is insufficient time to convene an Assembly, the Executive Committee shall have the authority to act after consultation with Regular Members, subject to later ratification by the General Assembly. In the period between two Assemblies, the Executive Committee has the authority set out in section 3.1.a.i.

4.3.2 Membership

- a) The members of the Executive Committee are the President and the representatives of Regular Member organisations or institutions (not more than eleven) elected by the General Assembly, according to the following rules:
- i) Only one Representative of the same Regular Member may serve on the Executive Committee;
 - ii) Only one Representative may represent Regular Member Organisations and Institutions of the same State;
 - iii) Only six members of the Executive Committee may represent respectively Regular Members of the EU States or the Mediterranean Partners of the EU.
 - iv) The composition of the Executive Committee must reflect the geographical diversity in the region, both in the North and in the South, and the diversity of the human rights work of the Network.
- b) Members of the Executive Committee shall be elected for a period of two years and shall be eligible for re-election for two further terms.
- c) The Executive Director attends meetings of the Executive Committee but is not entitled to vote at these meetings.
- d) Non-Executive Committee members shall be able to attend Executive Committee meetings as observers when invited by the Executive Committee and when issues relating to their activities and projects are on the agenda.
- e) If a member of the Executive Committee is absent without a valid reason for three successive meetings, the Executive Committee shall consider that s/he has resigned.
- f) Between meetings of the General Assembly, the Executive Committee may, by co-option, fill vacancies of the members who have resigned or are unable to fulfill their duties.

4.3.3 Meetings and Division of Tasks

- a) The Executive Committee shall hold an organisational meeting immediately after the General Assembly Meeting. It must hold meetings at least twice a year and can hold additional meetings or be called by the President or by any two of its members.
- b) The Executive Committee elects a Vice-President and a Treasurer.
- c) Tasks are shared out between the members of the Executive Committee at its first meeting.
- d) The members of the Executive Committee cannot occupy a political post within the State or a leading post within a political party for the duration of their term.
- e) **The President**
The President oversees the effective functioning of the Network in consultation with the Executive Committee and is responsible for the development and implementation of the Network's policies. The President represents the Network internationally and puts forward the Network's views and policies in the appropriate forums. S/he shall in brief assume responsibility for any policy matters determined by the Executive Committee.
- f) **The Vice-President**
The Vice-President acts for the President in the latter's absence, and succeeds to the office of President if a vacancy arises during the President's term of office. The Vice-President assists the President in exercising his/her duties. S/he exercises his/her own responsibility in policy areas determined by the Executive Committee.
- g) **The Treasurer**

The Treasurer oversees the financial development and management of the Network in close consultation with the Executive Committee and the Executive Director. S/he reports to the Executive Committee at its various meetings as well as to the General Assembly.

4.3.4 Notices

a) Each Member shall be entitled to at least thirty days' written notice of each meeting of the Executive Committee, stating the date, time and place of such meeting. Notice of the purpose of the meeting need not be given.

4.3.5 Quorum

The presence of at least an absolute majority of the members of the Executive Committee constitutes a necessary quorum for the formal validity of Committee decisions.

4.3.6 Vote Required to Take Action

All actions required or authorised by the Executive Committee shall be taken by the affirmative vote of an absolute majority (50 percent plus one) of the Committee Members present. The President has the casting vote in cases where the votes of the other Members of the Committee are tied.

4.4 Secretariat

4.4.1 Function of the Secretariat

a) The Secretariat is the operational bureau of the Network and shall be made up of the Executive Director and professional and administrative employees.

b) The Executive Director is appointed by the Executive Committee. S/he is responsible for all day-to-day affairs of the Secretariat except in those areas specifically designated by the Executive Committee.

c) The Executive Director shall hire senior officers in close consultation with the Executive Committee and may appoint other staff as necessary. All compensation shall be given within the framework of the staff regulations and the wage scale approved by the Executive Committee.

4.4.2. Supervision

Between meetings of the Executive Committee, the President shall be responsible for supervising the work of the Executive Director and the Secretariat in accordance with policies established at any given time by the Executive Committee.

4.4.3. Languages

The working languages of the Network are English, Arabic and French.

V. MISCELLANEOUS

5.1 Finances

a) Authority to bind the Network

The Network shall be bound when documents are signed according to the regulations set out.

The President, Treasurer and the Executive Director can, within the limits fixed by the Executive Committee, give specific officers the power to carry out certain transactions.

b) Fund-Raising

Responsibility for raising funds to support the activities of the Network shall rest with the Executive Committee and the Executive Director, as set out in the regulations.

c) Annual fee

Regular Members, Individual Members and Associates shall pay an annual fee to the Network, the amount to be determined by the General Assembly.

Should Regulars Members, Individual Members and Associates fail to pay the fees within 60 days from the beginning of the Network's fiscal year, or fail to pay reasonably promptly any other amount levied in connection with the Network, their membership shall be suspended by the Executive Committee until the required amount is paid.

d) Financial Year

The financial year of the Network shall be the calendar year.

5.2 Auditing

a) For the verification and approval of annual financial reports the General Assembly shall elect a professional Auditor (an individual or a legal person) who is not connected with the Network or its Members by any material interest.

b) The Auditor shall have the right to require officers of the Network to provide the necessary documents and explanations.

c) The Executive Director must co-ordinate the procedure and terms of conduct of the Audit and also ensure the necessary conditions to facilitate the Auditor's task.

d) In each case, the Auditor must submit his/her report to the Executive Director so that it can be sent out to the members at least 20 days before the General assembly.

5.3. Dissolution

a) The Network may be voluntarily dissolved upon the affirmative vote of two-thirds of the Regular Members present at an Extraordinary General Meeting called for the sole purpose of acting upon dissolution.

b) If such a meeting votes in favour of dissolution the assembly shall also designate, by simple majority:

i) A liquidator of the properties and assets of the Network, who shall discharge all its debts and liabilities; and

ii) One or more non-profit charitable, educational, scientific, religious or literary organisation to which the liquidator shall distribute assets remaining after the satisfaction of the debts and liabilities of the Network.

5.4. Amendment of statutes

These statutes may be amended by a vote of two-thirds of the Regular Members.

Thereafter, the Statutes may be amended, by the same majority, by the Regular Members either at a meeting or extraordinary of the General Assembly. The text of any proposed amendment shall accompany notice of such a meeting in accordance with the General Assembly's rules of procedure.

5.5 Entering into force of the statutes

5.5.1

These statutes enter into force immediately after their adoption by the General Assembly except in relation to the following elements:

- a) The Election of the President, the Vice-President, the Treasurer and the Executive Committee;
- b) The composition and election of the Executive Committee.
- c) The adoption of the budget. In the transitional period the General Assembly mandates the Executive Committee to establish the budget for the year 2005.

5.5.2

The number of re-elections referred to in 4.3.2.b. shall count as from the General Assembly of 6th December, 2003.

These Statutes were approved by the Sixth General Assembly of the Euro-Mediterranean Network at its meeting in Malta, 5-7 December, 2003

THE STATE OF THE EUROMED PROJECT
Presentation by Ms Sophie Bessis

1995-2003: eight years after its meeting, the Barcelona Summit seems far away. The situation in the Mediterranean has worsened so much today that one has difficulties conceiving the momentum of optimism which prevailed throughout the major meeting in 1995. Admittedly, it would not be proper to talk about otherworldliness – *a posteriori*. Each one had back then its own strong ulterior motives. Europe, in particular, regarded the new partnership it proposed to the Mediterranean Partner States (MPS) as a continuation of its security policy and as a means for a long-term stability of its Southern side. As to the MPS they hoped to profit from substantial economic and financial benefits in the new Partnership.

Eight years later, what assessment can we make of those years? At the end of almost a decade, is Europe still ready to strengthen its links with the Southern bank or does it from now on have other priorities? What is, considering the current context, the foreseeable future of the Euro-Mediterranean relationship?

1. The evolution of the regional and international context:

Since Barcelona and until today, a constant worsening. Israel-Palestine, the aftermath of 09/11, Iraq and the new American hegemony, the change in European geography due to the Enlargement.

2. Europe and the (MPS) since Barcelona

Can we speak about mutual disappointments from both banks since the Partnership was set up? It is a fact that the result is regarded as negative from all sides: by the Southern States which signed Agreements that have not put an end to their economic problems and have not fostered the expected acceleration, by Europe who is becoming alarmed at the slow pace of developments in the South, by the MPS civil societies who did not enjoy any of the benefits expected from the Partnership and whose room for maneuver is being reduced, especially since 11 September 2001.

A brief economic and political assessment of the Partnership

What responsibilities related to the the failures: Europe's responsibilities, the responsibilities of the MPS.

3. The new European Neighbourhood Policy and the place of the MPS in the European regional architecture

Considering the weak results and the new priorities it has adopted, Europe almost officially buried Barcelona in March 2003 to strengthen the *Neighborhood* concept. The Mediterranean Partner States enter from now on in the broad Neighborhood architecture built by Europe around its Enlargement.

In its Communication to the Council and the Parliament of March 2003, the Commission sketches a long-term strategic framework for relations with all its neighbours, which is not limited to the Mediterranean. Enlarged Europe's neighbours form a very heterogeneous group : Russia, new independent States formed after the break up of the former Soviet Union (NIS) and the MPS. 385 million inhabitants in total. The new and seemingly the most important neighbours, are those which share a European border with the enlarged EU to 25 countries, later probably to 27 or 30 from 2007. The two major new neighbours in this framework are Russia and Ukraine.

Principles and modalities of the new European architecture: values common to the «four liberties», but for who?

New conditions for what compensation?

What foreseeable benefits for the Mediterranean Partners States?

Annex 7b

Human Rights, Democracy and the Barcelona Process: Past Experience and the Way Ahead

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As represented in the Barcelona Declaration, the EMP process provides for a comprehensive and balanced approach toward achieving an area of peace and prosperity in the Mediterranean. The three-basket design of Barcelona is indicative of the comprehensive vision behind the EMP. However, eight years of implementation cause a great deal of disappointment. The slow, or even lack of, progress is a characteristic of the whole process. This applies to economic as well as political and security aspects of the process, but in different degrees.

The major problem facing the EMP is the lack of autonomy. The Barcelona process is highly dependent on other political processes influencing the Mediterranean region. The success of the EMP is a function of the developments taking place vis a vis other tracks in the Mediterranean. The Arab-Israeli conflict has a great importance in that regard. The Barcelona process was launched after short period of the major outbreak toward the settlement of the Arab-Israeli conflict represented by the Oslo accords signed between the Israel and the PLO. The improvement of the security and political conditions of the region brought by the Oslo accords provided for the conditions necessary for launching the Barcelona process.

But the security and political improvement in the Middle East did not last long. The nascent security dynamics in the MENA of the early 1990s have received serious blows. The assassination of Israel's prime minister Yitzhak Rabin followed by the ascendance to power by the Israeli right wing government of Benjamin Netanyahu have interrupted the then ongoing processes of multilateral talks in the fields of security, refugees, environment and development. The failure of the Camp David summit in the summer of the year 2000 caused further deterioration in the security and political dynamics in the Middle East. The renewal of violent confrontations in the occupied Palestinian territories has released a wave of negative attitudes and unrest all over the MENA region. The destabilizing effect of this wave of violence and hatred can hardly be exaggerated. For a considerable extent, developments in the Palestinian territories is among the causes of the rising threat of terrorism in the past few years. Moreover, conditions in the Palestinian territories contribute to the tolerance which considerable segments in MENA societies have shown toward terrorist activities. The Middle East peace process created the conducive conditions for the EMP to take off. Consequently, the slow down of the peace process, and later its complete nonexistence, has deprived the EMP of much of the needed wind to keep sailing. The changing situation in the Mediterranean in general, and in the Middle East in particular have weakened the commitment of the parties to the EMP. Southern partners in particular found it difficult to proceed with the EMP within the changing situation in the region.

The EMP process is based on two premises. The first of these is that progress should be achieved in all aspects of economic, social, political and cultural life in the Southern Mediterranean countries as a means to avoid the security threats which the overall situation in the Southern Mediterranean could generate. A second premise is that upgrading the relations between Europe and the Southern Mediterranean to the level of partnership is the catalyst that should bring the desired changes to the South.

However, there is a great deal of variation among the Barcelona partners in defining the meaning and implications of these premises. Parties to the EMP process differ on how comprehensiveness is to be achieved. There is no agreement on how much progress is needed regarding each aspect of the relationship in order to achieve the sought comprehensiveness. European partners tend to focus on structural reform, both economically and politically. Southern partners, on the other hand, tend to accentuate the importance of the economic aspects of the desired change. Also, there is a great deal of variations in defining the EMP role as a catalyst for change in the south. While the Southern countries tend to focus on the EMP as a framework for raising the development assistance and foreign capital needed for economic development, the EU tends to put more emphasis on the domestic reform that the EMP should help bringing.

Differences between members to the process are reconciled in the planning and implementation phases of the process. The reached compromises are not necessary in full accordance with the Barcelona grand philosophy of comprehensiveness. Rather, it is not unusual that the compromises reached during these phases to sacrifice certain components of the EMP project. Human rights and democracy are among the typical victims that are usually sacrificed during the process.

In a grand design as that of the EMP it is not unusual for some imbalances to find their way to the phases of planning and implementation. But the success of the project, in general, is a function of maintaining a greater deal of balance than imbalance in the planning and implementation phases since the balance between the different components of the project is the guarantor for comprehensiveness.

Past Experience

Investigating the record of the EMP shows that the southern Mediterranean countries have achieved limited success only in the economic level. No matter how sluggish the economic performance of the southern Mediterranean countries, it is still much better than their performance in the areas of democratization and human rights. According to the index developed by Freedom House, which gives the score of 1 to the countries with the highest level of freedom and the score of 7 to the least free countries, only two southern Mediterranean countries, Morocco and Jordan, are classified as 'partly free' with scores of 5 and 5.5 respectively. The other five countries are classified as 'not free', with a score of 5.5 for Algeria, Lebanon and Tunisia; a score of 6 for Egypt, and a score of 7 for Syria (Freedom House, 2003). According to the same report, none of the southern Mediterranean countries is included among the 121 electoral democracies present in today's world (Freedom House, 2002).

Only little improvement has been introduced to the state of governance in the southern Mediterranean countries since the beginning of the Barcelona process. Most notable in that regard is the political reform in Morocco, which allowed the traditional opposition parties to win the parliamentary elections of 1997 and form the cabinet. Although some setback has taken place in the year 2002, when the winning party was not allowed to form the cabinet but was allowed to provide the largest group of ministers, Morocco still ahead of other southern Mediterranean countries in terms of democratization and respect of human rights. The most significant feature of the developments in Morocco is that political reform has affected the power structure in a more democratic way. Although measures of political reform, with scattered setbacks, have been introduced to other southern Mediterranean countries, these measures didn't get to the point of affecting the power structure in these countries.

It is important to notice that regarding most of the aforementioned indicators there has been a general trend of improvement, no matter how slow or fast, that began early in the decade of the 1990s. This trend is an outcome of the policies of reform most southern Mediterranean countries have embarked upon at different points between the mid 1980s and early in the 1990s. These reforms were an outcome of a combination of the economic hardships of the mid 1980s and the global changes in the post cold war era. The policies of reform that have begun earlier since the mid 1980s have continued in a rather systematic way through the end of the 1990s and after. This trend applies for both the economic and political reform policies.

The introduction of the EMP since 1995 does not look like having much of an impact on the trends of reform that began earlier. It could be said, therefore, that Arab countries are more responsive to global changes rather than to regional contractual initiatives. The distinction between global and regional contractual changes could be of some importance in explaining the response of southern Mediterranean countries to external trends. The difference between the global changes of the early 1990s and the EMP is the difference between 'by default' and 'by design' changes. Global changes release massive and uncontrollable effects. The risks and opportunities created by global changes are beyond the control of any single actor, particularly in the developing countries who are left with no choice but to adjust to the global changes.

The EMP, on the other hand, is a contractual relationship where the southern countries have important say in determining the pace and depth of the process. Southern countries developed variant conceptions of the EMP. Subsequently, they have developed different strategies to deal with it. Three main approaches toward the EMP could be identified. Some countries have conceived of the EMP as an opportunity to enhance their capacity to compete in the

global arena. Those are the countries that embarked upon policies of openness to the global market and improvement of their capacity to compete in it. Jordan, Tunisia and Morocco fall into this category. This can be seen on a number of aspects. The three countries are the most competitive, exports wise, among the Arab Mediterranean countries. Also, together with Israel and the PNA, were the first to sign the association agreements with the EU. However, it should be obvious that governments in these countries tend to make a distinction between economic and political openness and reform. While economic reform is welcome, attitude towards political reform are ambivalent, and sometimes even hostile.

Another group of countries conceive of the EMP as a shield that can be used to reduce the impact of global changes. Those are the countries that tend to conceive global changes mainly as a threat. These countries have shown hesitation in adjusting to global changes. For them, the EMP is a chance to regulate the infiltration of global changes to their societies. Since the EU is the main economic partner of these countries, the EMP could allow them a chance to have some control over the pressures for change coming from the global environment. The negotiation between the EU and the southern Mediterranean countries provided the latter with a chance to influence the terms of exposure to global changes. The transitional period implied in the EMP as well as the longevity of the negotiation process could help delay feeling the impact of global changes and prepare for a late but soft landing onto global economy. Egypt and Algeria fall into the group of countries who pursued this strategy. Both countries have established traditions of government-controlled economy. The so called "socialist" experience in the two countries has shaped their political culture, particularly elites' culture, in a way conducive for sustaining government control. It also creates strong suspicions and doubts towards the external world, particularly the West. The influential 'statist' ideology in Egypt and Algeria is instrumental and resisting the kind of reform suggested by the EMP. However, the overall political development in the two countries allows for gradual adjustment towards global changes. But such an adjustment tend to fall behind the full-fledged reform needed to deal effectively with global trends.

However, a distinction could be made between the two countries. The Egyptian policy of delay is a 'by design' policy intended to achieve the aforementioned goals. The Algerian policy, on the other hand, is a mixture of 'by default' and 'by design' policy, which took place due to the political instability in that country.

A third group of countries were either not sure that global changes impose unavoidable reforms, or did not have the political capacity to introduce the needed reform. Syria fits into this group. The rigid system of state control and the preoccupation of the conflict with Israel in Syria, have shaped the Syrian policies toward global changes, and consequently toward the EMP.

The type of strategy towards globalization and the EMP pursued by the different countries is a function of two main variables, elite's attitudes and government capacity to handle reform. Conservative and cautious attitudes towards reform are more prevalent in the countries that had deeper past experience with systems of state control. While the state has been the main economic actor in all southern Mediterranean countries through the 1980s, only in some of the southern Mediterranean countries the system of state control has been elevated to an ideology and a worldview. The 'socialist' experiences of Egypt, Algeria and Syria still have significant influence on elite's attitudes in these countries. In other countries, such as Morocco, Tunisia and Jordan, the government's dominant role in the economy was essentially a policy choice rather than an ideology. The pragmatism, which has characterized the policy formulation process in these countries, allowed them a greater ability to switch gears when needed.

Past experience shows that the impact of eight years of implementation of the EMP has been minimal vis a vis political reform in the South. It shows that governments in the Southern Mediterranean have great deal of ability to manipulate the EMP in a way that allow them to avoid introducing the political reform and respect of human rights included in the Barcelona declaration. The domestic dynamics in the different southern Mediterranean countries have greater contribution to make to the outcomes of the EMP, particularly when it comes to democratization and human rights. Therefore, it can be said that, thus far, the EMP failed to play the role of a catalyst of reform in the southern Mediterranean. The failure of the EMP is, for a great extent, a synonymous to the failure of the EU in achieving its goals in its near abroad.

EU Enlargement and the Invasion of Iraq: Likely hazards and Narrow Opportunity

Some recent developments are likely to add more difficulties against the EMP. The enlargement of the EU and the American invasion of Iraq are the most important developments in that regard. With the enlargement of the EU, there are serious concerns that the EU is going to be busy streamlining its own internal affairs at the expense of the role it plays externally. The resources which the EU is assigning to the Mediterranean countries are likely to be constrained. Also, European capital is likely to be moving Eastward rather than southward. If these concerns are to be materialized, the role of the EMP as a catalyst for reform in the southern Mediterranean is likely to be weakened further. The resistance of the southern Mediterranean for reforms suggested the EU is conducive for such a trend to develop. The Mediterranean skeptics in Europe will find in this resistance a proof to their case.

Addressing such possibility require strengthening the "Mediterranean lobby" in European politics. Mediterranean activists should play more active role in maintaining the EU commitment toward the Mediterranean. Making the case for the importance of the Mediterranean policy among the new comers to the EU is an important move in that regard. The EU enlargement and the threat of weakening the EU commitment toward the Mediterranean could be used to urge governments in the southern Mediterranean to be more cooperative in observing the principles of the EMP. Marginalization is the greatest threat feared in the southern Mediterranean. Being left out in the dark in a world that is coming closer is the destiny which southern governments are keen to avoid. The EU enlargement raises the risk of marginalization of the southern Mediterranean. If addressed properly, this fact could be instrumental in encouraging governments of the southern Mediterranean to accelerate political reform.

The war on Iraq is another negative development that could make it more difficult for the EMP. The American invasion of Iraq is has made the Arab public more skeptic and suspicious vis a vis relations with the West. The fact that democracy and human rights were used by the US to justify its war in Iraq makes Arabs the Arab public suspicious of "foreigners" expressing concerns about the state of democracy and human rights in the Arab World. Future developments in Iraq are likely to have great impact on the Southern Mediterranean. Therefore, the mandate of the EMP should be expanded to cover Iraq. Such an expansion should not cause any conceptual problem since the definition of the Mediterranean has been political rather than geographic from the very beginning. The fact that Jordan, which is not a Mediterranean country, is a party to the EMP is a case in hand. The EMP's bodies should play an active role toward the shaping of the future of Iraq. If Iraq can make it successfully towards democracy, this should be instrumental in reversing the skepticism currently prevalent in the southern Mediterranean. Therefore, Mediterranean human rights activists are invited to allocate more resources to the situation in Iraq.

The EU enlargement and the American invasion of Iraq expose the EMP to grater pressure. This particularly applies to the aspects most related to human rights and democracy of the EMP. However, determinism should be avoided in judging the impact of these developments on the EMP. Although the immediate impact of these two developments on the EMP are likely to be negative, they could open a window of opportunity if properly addressed. The key to success in that regard is twofold: manipulating the southern concerns vis a vis marginalization and help making Iraq a success story for democracy and human rights.

ANNEX 8

EMHRN WORK PROGRAM 2004

1. INTRODUCTION

According to the EMHRN Statutes the General Assembly should adopt an annual program of activities and budget.

Below follows a description of EMHRN aims for its 2004 Work Program. It is based in the following considerations:

- The EMHRN shall continue activities that are foreseen in the Action Plan adopted in Marseille 2000 where this is required by the EMHRN's contractual obligations with its donors
- The EMHRN should phase activities out where these do not correspond to the Action Plan 2004-2008 and where the EMHRN has no contractual obligations
- The EMHRN should begin initiating new priority activities according to the Action Plan 2004-2008 bearing in mind that year 2004 in many senses constitutes an interim period. This is due to the fact that the EMHRN's 4 years contract with the EU Commission runs out in June 2004 and fund raising is ongoing with current and new donors. In this sense the EMHRN is only in a position to *forecast* about activities after June 2004, and cannot be definite about their full implementation.

2. MEETINGS OF EMHRN EXECUTIVE BODIES

The role of the Executive Committee is to conduct overall policies of the EMHRN.

In 2004 the EC will meet three times. During the meetings the EC should:

- Work on team building of the new EC and meeting with Secretariat staff
- Define individual EC members' responsibility areas
- Adopt a strategy for the implementation of the first two years of the Action Plan including a financial strategy
- Meet with the advisory council
- Adopt by-laws for the internal functioning of the EMHRN
- Deal with current policy affairs, including strengthened focus on member issues

3. COMMUNICATION

The EMHRN should continue to raise strong awareness of the human rights dimension of the Barcelona process and establish the financial and organisational basis for an internal and external communication strategy. It should:

- Continue and develop its weekly news bulletin and quarterly newsletter
- Finalize a project proposal and financial plan for a communication strategy
- Adopt a plan for reconstructing its website
- Initiate a plan for placing a staff member at a South EMHRN member organisation

4. HUMAN RIGHTS MECHANISMS

The EMHRN should maintain and develop its office in Brussels, i.e. an interface function between the EU/EMP, member organisations and the broader NGO environment

A main policy focus should be on:

- Maintaining and developing current networks
- The implementation of the EU Commission recommendations for reinvigorating human rights and democracy in the Mediterranean

- Continue monitoring of the Association agreement and developing a strategy for the effective use of the bilateral Association agreements with regard to human rights promotion and protection on national levels
- Finalise a plan (strategy and financial) for a monitoring mechanism regarding EU/EMP compliance with human rights obligations and objectives
- Develop a plan for training courses for members on the human rights dimension of the EU/EMP

5. CIVIL FORUMS

The EMHRN will take a pro-active part in developing the NGO Platform for the EuroMed Civil Forum and develop relations with the European and Mediterranean Social Forum, as well as the Arab civil forum initiative directed at the Arab League and coordinated by the CIHRS in cooperation with the EMHRN and the FIDH.

- It will constitute the temporary secretariat of the Platform until otherwise decided
- Co-organise an extended meeting of the Platform in early 2004
- Participate pro-actively in the implementation of the decisions adopted by the extended Platform aiming at strengthening its democratic and transparent functioning as outlined in the current Strategy Paper
- Support and take pro-active part in the Civil Forum process related to the Arab League meetings

6. FREEDOM OF ASSOCIATION AND EXPRESSION AND THE PROTECTION OF HUMAN RIGHTS DEFENDERS

The EMHRN's main action in this field will be the following:

- Facilitating the setting-up of the EuroMed Human Rights Foundation aimed at strengthening the human rights defenders' capacity to act
- Develop a strategy for using the bi-lateral association agreements more efficiently with regard to the protection of human rights defenders
- Examine and plan modes of integrating human rights concerned Media people into the work of the EMHRN
- Examine and plan modes of setting-up a working group on freedom of association and the independence of civil society

7. JUSTICE

The EMHRN will focus on developing strategies to promote the independence of the judiciary, fair trial and access to justice:

- Organise a regional seminar on the independence of the judiciary in the EuroMed region in early 2004 with the aim of adopting an action plan for civil society
- Finalise a report on the same issue
- Organise a Working Group meeting to decide on modes of implementing the action plan mentioned above

8. WOMEN'S RIGHTS

The EMHRN will focus its activities on giving women's rights issues more voice in the Barcelona process:

- It will present the report on "Integrating Women's Rights from the Middle East and North Africa Region into the Euro-Mediterranean Partnership" at sub regional meetings
- Advocate for the report's recommendations vis-à-vis the EU institution
- Investigate modes and specify objectives for the setting-up of a WG on Women's rights

9. MIGRANTS, ASYLUM SEEKERS AND HUMAN EXCHANGE

The EMHRN will explore modes of action for promoting a rights based and humanistic approach to the

question of migration and refugees in a EuroMed context. It will:

- Fund raise for the establishment of a regional study on the rights situation of asylum seekers, refugees and migrants in the Euro-Med region and for the setting-up of an advisory structure in this regard
- It will investigate possibilities for creating synergies in members' work with regard to refugees, asylum seekers and migrants

10. HUMAN RIGHTS EDUCATION

The EMHRN activities in this field will primarily take place within the Human Rights Education Working Group (HRE WG) and aim at mainstreaming HRE into EMHRN and general human rights work in the region. The HRE WG will:

- Meet three times in 2004 and strategise on how to develop current synergies between its work and other EMHRN activities including the organisation of the 2nd EMHRN Summer School
- Promote and disseminate the EMHRN HRE framework
- Publish a Reader on human rights in philosophy and practice based in Arab and European text and organise workshops in this regard
- Produce and diffuse a manual on women's rights
- Produce and diffuse photo packs on Palestinian refugees and on the Kurds

11. ECONOMIC AND SOCIAL RIGHTS

The EMHRN aims at developing methodologies for NGO human rights work on the economic and social dimension of the Barcelona process. The EMHRN will:

- Organize a workshop on economic and social rights in the Mediterranean region in cooperation with the Mediterranean Program of the European University Institute in Florence on the occasion of its 5th Mediterranean Conference of the European University in Florence, Spring 2004.
- On the basis of the results of the workshop the EMHRN will decide on how to proceed with developing methodologies in this field including future training sessions for EMHRN members.

12. HUMAN RIGHTS AND THE WAR ON TERRORISM

- The EMHRN will organise a mission to Iraq to inquire into the situation of civil society, and seek to establish a human rights audit on the consequences of the war in Iraq and the fight against terrorism on the EuroMed region.

13. PALESTINE

The EMHRN aims, on the basis of members' work, to promote approaches to peace that is based on human rights and humanitarian law. The EMHRN will:

- Organise a WG meeting on Palestine in early 2004 with the aim to explore common ground for future work of - members, including eventual projects on the monitoring of the Association Agreement between the EU and Israel and on the role of human rights NGOs in peace processes.
- Publish a report on the situation of NGOs in Palestine and Israel

14. THE KURDISH QUESTION

The EMHRN will develop the work of the WG on the Kurdish question according to the concept paper adopted by the AGM, including meetings related to pre-accession negotiations and monitoring presence in Turkey.

15. OTHER COUNTRIES

The EMHRN will give priority to members support in countries where civil society is weakest or work under the harshest pressure, and where EMHRN members are in danger of persecution.

16. ORGANISATIONAL MATTERS, FINANCES AND THE SECRETARIAT

The EMHRN will continue supporting and developing its organizational structure by:

- Holding regular joint meetings of staff and Executive Committee members, i.e,
- The management group
- Joint EC and staff meetings
- Internal staff meetings
- It will finalize a Wage and Work Regulation including human resource development plan
- Devote considerable time to fundraising ensuring sustainability of the EMHRN, including possibility of moving to own office facilities

ANNEX 9

RESOLUTIONS ADOPTED AT THE 6th GENERAL ASSEMBLY OF THE EMHRN

1. An urgent resolution on the hunger strike of Radhia Nassraoui, expressing concern about the deterioration of her health and agreeing to send a mission of inquiry to Tunisia was adopted.
2. Proposed resolutions on kidnapping of Kihhiya in Libya and on women's rights in Morocco was postponed to the discussions the following day on resolutions.
3. Georges Assaf, Khémais Chammari, and Wassyla Tamzali volunteered to constitute the drafting committee responsible for the drafting of a resolution from the GA.
4. It was decided to only vote on the resolution and let the annexes be for information. Furthermore, it was suggested that the EMHRN should make a press release following the GA, while the resolution should be more for the members.
5. The draft resolution was adopted with 2 abstentions. The drafting committee was mandated to finalise the resolution incorporating suggestions made during the discussion

ANNEX 10

PRESS RELEASE ON THE 6th GENERAL ASSEMBLY OF THE EMHRN

The 6th EMHRN General Assembly: a landmark in the life of the Network Malta, 07.12.2003

Gathering in Malta for the 6th EMHRN General Assembly, 100 participants, coming from the entire Euro-Med region, marked a watershed in the life of the Network taking strategic decisions on role and activities in the coming years. It also heralded the decision to establish a 'Euro-Med Foundation for Human Rights Defenders'.

The General Assembly discussed the new challenges for the region in the light of the aggravation of the situation in Palestine and the Iraqi crisis, the developments in the Barcelona Process and the enlargement of the EU. Accordingly the EMHRN decided to redouble its efforts to protect and promote universal human rights, which are substantially outlined in the newly adopted Action Plan for 2004-2008.

The participants from the entire Euro-Med region applauded the election of Kamel Jendoubi (Tunisia) as President, Eva Norstroem (Sweden) as Vice-President, Theocharis Papamargaris (Greece) as Treasurer and a new executive committee composed of Randa Siniara (Palestine), Klaus Slavensky (Denmark), Michel Tubiana (France), Rabéa Naciri (Morocco), Reyhan Yalcindag (Turkey), and re-elected Colm Regan (Ireland) and Bahey El Din Hassan (Egypt).

The General Assembly expressed its gratitude to the outgoing Executive Committee, who has made a great contribution to the current strength of the Network.

Five new members, Al-Haq, Sisterhood is Global (SIGI), International Committee for Peace in Algeria (CIPA), the Bar Human Rights Committee of Wales and England and the World Organisation against Torture (OMCT) were also welcomed in the Network.

The Assembly recognised the major achievements of the Network by adopting the political, activity and financial reports and adopted a resolution on human rights in the Euro-Med region.

The General Assembly sent a warm message of solidarity to all human rights defenders in the region, in particular Radhia Nasraoui imploring her to stop her hunger strike and not further endanger her own life.

Finally, the EMHRN warmly thanked the Mediterranean Academy for Diplomatic Studies for co-organising the meeting and Hon Anton Tabone, speaker of the Maltese Parliament, for honouring the Network by his presence at the opening of the Assembly.

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ANNEX 11

DECLARATION FROM THE 6th GENERAL ASSEMBLY OF THE EMHRN

The participants of the sixth EMHRN General Assembly gathered in Malta from 5 to 7 December 2003:

After having analysed the Euro Mediterranean Partnership (EMP) in the light of the consequences of the 11 September events and in the perspective of the coming enlargement of the European Union which will take place one year after the war in Iraq:

- **Call for a "re-launch" of the Partnership**, established eight years ago in Barcelona and request in particular that the process does not limit itself to the setting up of a free trade zone. They draw attention to the social costs of the association agreements.

- **On the question of migrants** they are concerned about the effects of increased security measures on the need to promote, within this geopolitical space, North-South and South-South freedom of movement (abolition of visas). They are convinced of the crucial importance and global effects of the search for just and equitable peace solutions to the conflicts in the Middle East.

- **They take positive note of the declaration « Building bridges, not walls »**, adopted at the ninth Euro-Med civil forum in Naples (28 – 30 November 2003) ;

- **Supporting the provisions of this declaration** regarding Palestine, Iraq, as well as the political, economic, social and cultural aspects of the EMP, they welcome the role played by the Euro-Med NGO Platform in the preparation and implementation of the Forum, positively noting the contribution of the EMHRN in the dynamics impelled by the Euro-Mediterranean Civil Forum's Steering Committee.

- **Deploring that « Human Rights » clauses in the EMP and Association Agreements have not as yet been effectively implemented**, they take positively note, however, of the European Commission's Communication to the European Council and Parliament on new strategies on human rights and democratisation, and hope that this document will enable new steps to be taken within this important field of the EMP.

- **Concerning Women's rights and the principle of equality** of men and women before the law, particularly in the South Mediterranean region, the EMHRN reaffirms that it is a key priority for all its members. They express their satisfaction at the Moroccan initiative to amend the family law (*moudawwana*), which represents an important precedent for the whole region towards equality before the law as it is enshrined in international legal instruments. They consider it recognition of the Moroccan women and human rights defenders' struggle and support associations and groups advocating for implementation of this reform. They also positively note the Algerian authorities' initiative to set up a workshop to amend the Family law, but regret that women's rights associations have not yet been consulted in this process.

- **Concerning the Euro-Mediterranean Foundation for the Dialogue of Cultures**, they stress that the Partnership should give priority to the development of cultural exchanges and to the role of culture in each country. They insist on equal access to culture of all partners. They request that the legal status of the Foundation shall guarantee its independence and financial autonomy, as well as it being opening to all actors of civil society, including creative art.

- **Concerning freedom of communication**, they share the concern that the World Summit on the Information Society (WSIS) – which will take place in Geneva from 10 to 12 December under UN aegis – will deviate from its initial objective of reducing the digital gap between the rich and poor countries by putting information technologies at the service of human development and the promotion of democracy in the South and in the North. They draw public opinion's attention

to the fact that the Summit could, on the contrary, be used to create new obstacles to freedom of expression on the internet and to legitimise the setting up of anti-freedom surveillance systems by focusing on technical issues and the need for fighting terrorism.

On human rights, the participants to the 6th General Assembly of the EMHRN:

- **Note the increase of blatant attacks on freedom of association, of assembly, of opinion, of conscience and of the press** in many countries in the South Mediterranean which undermine the rule of law, especially the attacks on the right to a fair trial and the systematic use of torture.

- **Condemn the systematic use of censorship and the attacks on freedom of expression** in several countries of the region and demanding the immediate and unconditional liberation of journalists imprisoned in Morocco, Algeria, Egypt, Tunisia and Syria. They ask States to respect and guarantee the independence of the press, diffusion of free audiovisual information and free access internet access from all bureaucratic and police supervision. They call on journalists and media professionals to take more interest in human rights violations in their countries and to contribute to the development of a human rights culture.

- **Deplore the fact that many States in the region do not respect their commitments to legal international human rights instruments to which they have signed up.**

- **Urgently call for an increased mobilization in the North and in the South of the Mediterranean for the liberation of prisoners of opinion** from arbitrary detention – including the thousands of Palestinian men, women and teenagers – and against political trials and the use of torture and cruel, inhuman and degrading treatment.

- **Underline the seriousness of forced disappearances in Algeria, Morocco, Syria and Lebanon** and the grave consequences it has on the rights of the families of the disappeared and on the prevalence of impunity.

- **Call for promulgation of general amnesty laws** for victims of political repression, especially in relation to the situation in Algeria, Tunisia and Syria.

- **Are concerned about the pressure on independent associations** in order to prevent them from benefiting from transparently obtained and managed grants, exercised by some government in the region, notably in Tunisia, in Egypt, and in Israel towards Palestinian NGOs.

- **Are outraged about the Tunisian authorities' decision to arbitrarily freeze the Tunisian Ligue for Human Rights' (LTDH) grants** received from the European Union in the framework of the European Initiative for Democracy and Human Rights (EIDHR) They express their support to the LTDH and ask the Tunisian authorities to lift all restrictions imposed on the work of the LTDH and of all independent associations.

- **Stress, as a prelude to the creation of a regional human rights protection mechanism, that the Human Rights Charter of the Arab League of Arab be adapted** to conform with the norms of the Universal Declaration on Human Rights and the international human rights covenants and treaties. They are concerned that some States in the region insist on referring to the Declaration of Human Rights in Islam, set up by the Organisation of the Islamic Conference (OIC), the legitimacy of which may be questioned.

- **Are alarmed about the tragic consequences of the cycle of violence against civilian targets in conflict zones of the Euro Mediterranean region.** They support the recent joint Declaration by 12 international NGOs to set up an international mechanism to monitor that the legitimate fight against terrorism conforms to human rights standards.

- **Insist on the importance of economic and social rights in all MEDA programmes** as mentioned in the conclusion of the 2001 EMHRN report on the impact of MEDA programmes on human rights.

Concerns relating to the situation in the Palestinian Occupied Territories, Syria, Iraq and (North) Cyprus as well as a draft resolution concerning the forced disappearance of Mansour Kikhiya, co-founder of the Libyan League for Human Rights and the Arab Organisation for Human Rights, in Cairo ten years ago were submitted to the 6th EMHRN General Assembly. These contributions are annexed to this Declaration.

On Palestine, the participants to the 6th EMHRN General Assembly:

- Reiterate their firm belief that peace and security in the region and a solution to the conflict in Israel-Palestine based on justice and respect for the United Nations decisions, and which guarantees the rights of all people involved, constitutes one of the main basis for success of the Partnership (EMP).
- Condemn the intensified Israeli occupation of Palestinian land, the continuous violation of the rights of the Palestinian people and the degradation of human rights, especially in occupied Palestine as well as the ensuing terrorist attacks against civilian populations during the past three years;
- Condemn collective punishment of the Palestinian civilian population, land confiscation and the destruction of olive trees, extortion of settlements, mass and arbitrary arrests, extra-judicial executions, restrictions of freedom of movement, destruction of civilian buildings and the construction of a separation Wall, aiming at ending all possibilities for a sustainable Palestinian State.
- Take note of the proposals made by EMHRN member organisations on the occasion of this General Assembly concerning the Geneva Agreement, stressing the supremacy of international human rights law, international humanitarian law and the relevant United Nations resolutions on the inalienable rights of the Palestinian people.

On Syria, the participants to the EMHRN 6th General Assembly:

- Are worried about the risks that the military coalition under American command in Iraq will be extended to include an occupation of Syria.
- Denounce the occupation of Syrian territories in the Golan and the settlements here. They call for an increased mobilization of the international community to end the extortions of the civilian populations and for the evacuation of the Golan.

On Iraq, participants to the EMHRN 6th general Assembly:

- Take note of the debates and conclusions of the seminar on the human rights situation in Iraq and its impact on human rights in the Euro-Med region organised by the EMHRN, the Danish Institute for Human Rights and the Cairo Institute for Human Rights Studies in Copenhagen from 28 to 30 August 2003.
- Condemn human rights violations by the occupation forces, destruction of civilian buildings and the ensuing deterioration of living conditions for the Iraqi civilian population.
- Condemn the situation of lawlessness prevailing in Iraq which feeds the present cycle of violence, the lack of implementation of United Nations decisions and the supervision of the Iraqi people leading to a rise in extremism and religious and social tensions.
- Call for the withdrawal of the military occupation troops and for an effective transfer of sovereignty and responsibility to the Iraqi people accompanied by human rights guarantees and respect for political, ethnic, and religious pluralism which the population has for long been deprived of. The fall of contempt regime denying these rights have not been followed by a liberation of the Iraqi people.

On Cyprus, the participants to the EMHRN 6th General Assembly:

- Condemn the deliberate colonisation of the North of the Island by the Turkish Cypriot administration through systematic and organised influx of populations from the continent. The increasingly growing presence of these new settlers constitutes an obstacle to the indigenous Turkish Cypriots' enjoyment of their civil and political as well as economic, social and cultural human rights.
- *On the kidnapping of Mansour Kikhiya* on 10 December 1993 in Cairo in the margin of the General Assembly of the Arab Human Rights Organisation, the participants to the 6th EMHRN General Assembly:
 - Launch an appeal for mobilization concerning the disappearance of Mansour Kikhiya. Mr Kikhiya was kidnapped and no investigation has been conducted nor has publicity been given to the case. The same holds true for the Lebanese citizen Imam Moussar Sadr and hundreds of anonymous Lebanese victims.
 - As Libya is negotiating its accession to Euro-Med, a mobilization based on law and the duty to remember is more necessary than ever and the EMHRN is called to contribute, together with other international and regional human rights organisations, to international mobilization for Truth and Justice.

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PART 2

EMHRN ACTIVITY REPORT

May 2002-October 2003

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1. INTRODUCTION

At its 4th General Assembly Meeting in Carry Le Rouet, Marseille, 7-8 November 2000, the Euro-Mediterranean Human Rights Network adopted an Action Plan for its future work and elected an Executive Committee responsible for implementing the plan.

The plan was established on the basis of the EMHRN's overall objectives to

- Support and publicize the universal principles of human rights as expressed by all international instruments on human rights and as expressed by the Barcelona Declaration of November 1995.
- Strengthen, assist and coordinate 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;
- Support the development of democratic institutions, the promotion of rule of law, human rights and human rights education in the Euro-Mediterranean region.

It was furthermore based on the assumption that the Euro-Mediterranean Partnership and the accompanying Barcelona process, despite serious flaws, offer an important framework for human rights, democracy and civil society promotion and protection, and on the relevance of linking the EMHRN program of activities to the official agenda of the EMP, while maintaining an independent and critical stance on the Partnership's development.

The general methodology outlined in the plan was based on three main elements:

- *Information, documentation and dissemination* implying the objective to raise awareness of the human rights dimension of the Barcelona process among the members of the EMHRN and the public at large, and inform the EMP mechanisms and the public about the human rights situation in the region as well as about the work of human rights organisations.
- *Dialogue, lobbying and campaigning* implying EMHRN participation in the strengthening of the human rights mechanisms embedded in the Barcelona process, and the promotion of dialogue between civil society and the EMP institutions in the field of human rights.
- *Capacity building and general education* through the strengthening of communication and exchanges between human rights organisations, and promoting the development of joint projects between EMHRN members.

In terms of policies these methodologies were adapted to dealing with human rights issues within four fields of work:

- *Regional mechanisms* aimed at promoting implementation of strong human rights instruments within the EuroMed region on the basis on EMP commitment to human rights.
- *Key initiatives*: EMHRN participation in dialogue with governments and in the EuroMed Civil Forums.
- *Thematic priorities* outlining key human rights issues relevant for the EuroMed region:
 - The protection of human rights defenders, including freedom of association and expression
 - Justice and equal access to justice
 - Women's rights
 - Migrants' and asylum seekers rights, and human exchange
 - Human rights education
 - Self-determination and the rights of refugees
 - Economic, social and cultural rights
- *Country priorities* outlining Algeria, Tunisia and Syria as main countries of concern (apart from Palestine-Israel) due to the difficult situation of civil society, and outlining the need to develop focussed plans for individual countries.

A mid-term discussion of progress, or lack of development of the plan, took place at the 5th General Assembly in Athens, June 2002, during which several suggestions were made to enrich the Action plan. On this basis the Executive Committee, at its meeting in Istanbul October 2002, established a set of goals for the remaining period while confirming the division of responsibilities set-up in 2001:

- Abdelaziz Bennani, President and Justice

- Kamel Jendoubi, Management group, Advocacy in Brussels, the Civil Forum, the EuroMed Human Rights Foundation and Tunisia
- Morten Kjaerum, Management group, Dialogue with governments and EcoSoc Rights
- Colm Regan, Management group and Human Rights Education
- Khader Skhirat, Self-determination and the rights of refugees, in particular the Palestinian question;
- Driss El Yazami: Women's rights
- Bahey El-Din Hassan, Freedom of Association and Expression and Protection of Human Rights Defenders
- Nazmi Gur, Interim treasurer and Migration
- Eva Norstroem, Refugees and Asylum Seekers

The purpose of the present report is to describe the activities carried out by the EMHRN within the framework of the Action Plan with a specific focus on activities that are not dealt with in the Activity report adopted at the GAM in Athens, i.e. the period from 1 May 2002 to 30 September 2003.

It is structured according to the policy priorities outlined in the Action plan. It seeks to narrate the activities of the EMHRN while enumerating the achievements, or the lack of such, in the various fields of work.

The overall assumption is that the EMHRN succeeded in developing important instruments within the fields of A. Information, documentation and dissemination. B. Dialogue, advocacy and campaigning. C. Capacity building and education. However, an evaluation of the impact of the instruments established by the EMHRN would benefit from an external systematic assessment.

The EMHRN also succeeded significantly in strengthening its internal organisational capacity.

Furthermore, it is also the assumption that the EMHRN established a strong presence in Brussels in relation to the EU and EMP institutions and in formulating initiatives and policies on a regional level. It has also established a strong presence within the Barcelona process being one of its key civil society networks.

Thematically, the EMHRN has been pioneering in producing some innovative reports and in experimenting on methodologies for bringing members together in meaningful context by means of working groups. Some of the latter initiatives succeeded, some did not but a pool of experience now exists upon which to build future work.

The work on country level and in relation to member needs on the ground did produce significant results in some cases. However, work is still carried out on an *ad hoc* basis and depends on fluxes in human resources available. Much work directed at country level could benefit from a strengthened EMHRN external and internal communication profile.

The strength of the EMHRN lies in its network structure and in the interrelation between members as well as members and the structures of the EMHRN: the Executive Committee, the Working Groups and the Secretariat. This implies a genuine interdependence of the said structures. The present report seeks to show how this interdependence works.

However, the EMHRN is not in the position yet to show how member activities shape the presence and visibility of the EMHRN in all parts of the EuroMed region. A strengthened internal communication would greatly help such an endeavour. This implies members reporting back on their activities to the executive bodies of the EMHRN and that stronger instruments are established by the latter to record and diffuse this information back to and between the members.

2. MEETINGS OF EMHRN EXECUTIVE BODIES

| | |
|--|--|
| Plan of Action: No Mention | |
| Adopted at Istanbul EC meeting following the Athens GA | |
| <i>General Objective</i> | |
| Adopt and conduct overall policies of the EMHRN according to statutes. | |
| <i>Mid-term Objective</i> | |
| Follow-up on GAM recommendations. Prepare for next elective GAM. Strengthening internal work procedures. | |
| 1.1.1.1 | Achieved |
| o | Implementation of main points in Marseille action plan |
| o | Plan of Action 2004-2008 |
| o | Amended statutes |
| o | GAM rules of procedure |
| o | Draft by-laws |
| o | Staff plan and internal organisation |
| o | Staff regulation |
| 1.1.1.2 | Not achieved |
| o | Final document regarding by-laws |
| o | See report below |

a. Executive Committee Meetings

In between the GAM the EMHRN Executive Committee (EC) is the policy making body of the EMHRN. The EC met in Istanbul, Florence, Belfast and Casablanca, and the EMHRN held a General Assembly meeting in Athens. It has since the GAM in Marseille been the policy of the EC to have three ordinary meetings each year, two of which are organised in the country that will have the upcoming Presidency of the EU and one which is taking place in a non-EU Mediterranean country.

* The first EMHRN EC meeting after the GA in Athens took place in Istanbul, 5-6 October 2002. Abdelaziz Bennani, Nazmi Gür, Bahey El Din Hassan, Kamel Jendoubi, Driss El Yazami, Sandrine Grenier, Marit Floe Joergensen and Marc Schade-Poulsen took part in the meeting that was organised with the kind assistance of EMHRN member, Human Rights Association (IHD) Turkey. The EC discussed the narrative and financial reports presented by the Secretariat and the reports from the working groups. It evaluated the GA and discussed the forthcoming Assembly setting the preliminary dates for 5-7 December 2003 in Malta. Furthermore, it adopted a program of activities for 2002-2003 identifying objectives for the period leading to the 6th GAM, agreed on a statement against the possible war on Iraq and on a policy paper on the reform of the Civil Forums. It also adopted the recommendations of the Feasibility Study on a EuroMed Human Rights Foundation regarding the role of the EMHRN in its establishment. Mr Adel Abdelatif (UNDP Good governance program for the Arab World) and Ms Seyhan Aydinilgil, Senior Policy and Partnership Advisor, UNDP Turkey, made presentations on the UNDP Arab Development Report and the UNDP Country Report for Turkey, respectively. Mr Salahetin Esmer, Secretary General of the IHD also took part in proceedings of the meeting.

* An extra-ordinary meeting took place in Florence 14-16 March 2003. The purpose of the meeting was to prepare the General Assembly (GA) and it dealt with amendments to statutes and by-laws, rules of procedures for the GA and internal staff regulations. The Euro-Mediterranean Human Rights Foundation was also discussed following a presentation by Danish lawyer, Eskil Trolle, who has worked on setting up statutes for the foundation. The EC also adopted a press statement on Iraq: 'No to War'.

* The EMHRN Executive Committee (EC) met in Belfast 28-30 June 2003. The two main points of the agenda were the discussion of a first draft of a new EMHRN action plan and budget to be presented to the GA as well as a political debate on the Barcelona Process after the EU enlargement and the war against Iraq. Two expert consultants, Bernard Driano and Bechir Chourou animated the debate.

* Finally, the EMHRN Executive Committee meeting was held in Morocco, 5-6 September 2003. The EC discussed the preparations of the forthcoming general assembly including an action plan for the coming years.

* As at all regular EC meetings, members met with representatives of national authorities, NGOs, and representatives of local human rights institutions.

In Istanbul EC members met with representatives of human rights, migrant and political prisoner organisations. Kamel Jendoubi, Sandrine Grenier and Marit Floe Joergensen afterward went on a mission to Diyarbakir, where they met with human rights organisations, the Mayor of the Greater Diyarbakir District, political parties, the Bar Association, a migrant organisation, and journalists.

In Florence, the EC met with representatives of the Mediterranean Program of the European University Institute and the Belfast meeting included a meeting with David Irvine, PUP, and Colm Regan, Bahey El Din Hassan and Marc Schade-Poulsen met with representatives of the Department of Foreign Affairs in Dublin.

Finally, in Morocco 4 September Abdelaziz Bennani, Kamel Jendoubi, Marc Schade-Poulsen and Sandrine Grenier met with the president of the human rights consultative council, Omar Azziman, the minister of human rights, Mr Aujjar, and EMHRN members OMDH, ADFM and Espace Associatif and other NGOs in Rabat, notably AMDH, Transparency and Forum Verité et Justice. The latter meeting was kindly hosted by Espace Associatif.

b. The 5th General Assembly

The General Assembly took place in Athens on 14-15 June 2002 with the kind assistance of the Greek Committee for Democratic Solidarity and the Greek Helsinki Monitor.

The minutes of the meeting, the meeting agenda, reports and papers discussed, as well as the list of participants are published in an extensive separate report: *Fifth General Assembly – Athens (Greece), 14-15 June 2002*. EMHRN, Copenhagen 2002. It is available on the EMHRN website as are all documents mentioned in this report.

3. COMMUNICATION

Newsletter, posters, web site and communication officer

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| <p>Plan of Action. No mention</p> <p>Adopted at Istanbul EC meeting following the Athens GA</p> <p><i>General Objective</i> Raising strong awareness of and input to the human rights dimension of the Barcelona process</p> <p><i>Mid-term objective</i> Establishing the financial and organisational basis for a communication strategy vis-à-vis Media and members</p> <p>Achieved</p> <ul style="list-style-type: none"> • Web site in the three working languages • Quarterly publication of Newsletter • Weekly publication of news-spots • Issuing of press releases on an irregular basis • Funds raised for an interim coordinator in charge of internal communication <p><i>Not achieved</i></p> <ul style="list-style-type: none"> • Poster and folder proposal • Work program and time schedule for the reconstruction of web site and communication strategy |
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* The EMHRN issued three information letters and 50 weekly news bulletins by email. The latter were diffused to more than 800 key actors within the EuroMed human rights field each week. Its statements and press releases were regularly reported by the key EU press agency Agence Europe.

* Furthermore, the EMHRN developed a project proposal to reconstruct its website and in July 2003 employed an interim coordinator in charge of internal communication.

4. HUMAN RIGHTS MECHANISMS

Since Marseille a main issue of the EMHRN has been to advocate for the EMP and the EU to establish strong human rights instruments in conformity with their international commitment, and to propose ways to decision makers on how to develop the human rights dimension of the Barcelona process. The EMHRN has worked to become a main interlocutor of the EU and the EMP when it comes to the question of human rights mechanisms in the EuroMed.

Action Plan

- The EMHRN will advocate that the EU should produce regular evaluations of the MEDA Programs' impact on the human rights situation in the region; use MEDA funds preferentially. The EMHRN will commission a report that will: Critically assess existing documentation regarding the use of the MEDA funds, including existing evaluation reports; Inquire into the existing use of (and programs for) MEDA funds devoted to civil society support; On the basis of the results of EMHRN advocacy in this field, it will examine the feasibility of establishing a similar initiative in relation to the European Investment Bank policies.
- The EMHRN will advocate for the establishment of an independent human rights committee under the Committee of High Officials (the Barcelona Ambassadors) . In order to move this idea forward a comprehensive paper on the idea and structure will be elaborated. Before being launched, the paper will be discussed at a meeting with experts and members of the EMHRN
- The EMHRN will advocate for the establishment of a human rights committee within the framework of the Euro-Mediterranean Inter-parliamentary Forum.
- The EMHRN will continue past efforts of advocating for human rights to become an explicit point on the agenda of the Association Council meetings; Publish briefings/ reports on the occasion of association council meetings in cooperation with members; Urge the relevant Inter-parliamentary delegations of the European Parliament to promote human rights dialogue, and assessments of human rights progress or set-backs, in relation to association council meetings; Urge the European Parliament to organise human rights hearings in relation to accession procedures related to bi-lateral association agreements.

Adopted at Istanbul EC meeting following the Athens GA

General objective

The EMP becomes an efficient mechanism for the promotion and protection of human rights and the rule of law in the region. Human Rights becomes an explicit point on the agenda of the Association Council Meetings between the EU and its Mediterranean Partners. Bi-lateral Human Rights Working Groups are established with the framework of the Association Agreements. An independent expert group under the Committee for the Euro-Mediterranean Partnership advises on human rights policies, promotion and protection. MEDA and EIB Programs are monitored for their impact on human rights. A human rights committee is established within the framework of the Euro-Mediterranean Parliamentary Forum. Regular consultations with Civil Society are institutionalised. Human rights movement has fully integrated these concerns. Strong presence of human rights NGOs in the EMP.

Mid-term objective

EMHRN reports regularly to the Barcelona Ambassadors and an informal working group is established. Human rights addressed at all association council meetings. Possibility of establishing bi-lateral human rights working groups in Morocco explored. Inclusion of proposal for human rights committee in preparing Mediterranean assembly. The proposal of a pilot study on a human rights evaluation of the MEDA programmes was adopted by the EU Commission.

Achievements

- EMHRN co-organised EMP conference on Justice
- EMHRN presented its program for the High Officials of the Barcelona process
- EMHRN had regular dialogues with the EU Commission as a key civil society interlocutor
- EMHRN published and presented a report on MEDA that was widely discussed
- EMHRN recommendations on human rights action plans adopted by the Commission
- EMHRN recommendations on regular consultations with civil society is adopted by the Commission
- EMHRN has become a lead body in EuroMed civil society relations
- EMHRN recommendations are regularly integrated in EP resolutions
- Human rights issues about to be brought up regularly in Association Council meetings
- Regular consultations with civil society about to be established by the EU Commission
- EMHRN recommendations in relation to AA meetings regularly reported by Agence Europe
- EMHRN recommendations re MEDA adopted by EP.
- EMHRN recommendation on Working group in relation to AA about to be adopted
- Bi-lateral working group on human rights regarding Morocco is in the pipeline

1.1.1.3 Not achieved

- The establishment of an independent committee under the Committee of High Officials.
- The establishment of a human rights committee within the framework of the Euro-Mediterranean Inter-parliamentary

Forum.

- Pilot study on a human rights evaluation of the MEDA programmes is not adopted by the EU Commission
- No initiative yet re the European Investment Bank
- Funding of Human rights NGOs within the EuroMed region remain weak.
- No strong backing of the EU Council regarding implementation of Commission proposals on human rights for the EuroMed region.

a. The Euro-Mediterranean Committee for the Barcelona Process and EuroMesCo

On 18 September 2002, the EMHRN, represented by Abdelaziz Bennani and Marc Schade-Poulsen, participated for the first time in a meeting of the Euro-Med Committee of the Barcelona Process. EMHRN president Mr. Bennani gave a presentation of EMHRN work and major human rights concerns and suggested more continuity in the dialogue between the High Officials and the EMHRN.

EuroMesCo

Earlier the same year, on 31 January to 1 February, 2002, the EMHRN (represented by Marc Schade-Poulsen) participated in the annual conference of the EuroMesCo (Euro-Mediterranean Network of Foreign Policy Institutes), established by the EMP under the first chapter and referring to the 'Barcelona ambassadors', and suggested the establishing a working group on human rights within the framework of the Euro-Med Committee of the Barcelona Process. Marc Schade-Poulsen also participated in the EuroMesCo Senior Officials' joint meeting in Copenhagen, 18 November 2002, which discussed 'Security in the Euro-Mediterranean region: Building a Comprehensive Concept,' including the role of civil society in this context. The work of the EMHRN was among the issues highlighted at the meeting.

b. The EU Commission

As mentioned in the Athens GAM Activity Report the EMHRN initiated a study on the human rights implications of the MEDA funding programs with researchers Iain Byrne (then-research fellow at the Human Rights Centre at the University of Essex), and Charles Shamas, (Senior Advisor, MATTIN Group Jerusalem). A draft report was presented at a training seminar organised by the EMHRN in Brussels, 7-9 November 2001, and thereafter redrafted according to the comments received and later developments within the EMP.

The report was published and released in English 22 October 2002, and in French on 13 November 2002 while the Arabic version was finalised in March 2003. A hard copy was distributed to participants at the conference on the MEDA programs mentioned above, and to a wide range of key actors in the Barcelona process as well as EMHRN members.

In parallel the EMHRN followed-up on the report in the EU institutions where it sparked debate. As a result, the EMHRN was invited by the European Commission to discuss the MEDA report on 3 February 2003. Around 15 representatives from the DG Relex and Europe Aid participated in the meeting. The Commission agreed to take into account the recommendations of the report in its work and to follow-up on the implementation of the recommendations with the Network, in particular with regards to the development of a methodology for mainstreaming and initiating a pilot study. The EMHRN was represented by Abdelaziz Bennani, Kamel Jendoubi, Marc Schade-Poulsen and Sandrine Grenier. Iain Byrne and Charles Shamas also took part in the meeting.

The Communication on Human Rights in the Mediterranean Region adopted by the Commission on 21 May 2003 includes a large number of the recommendations by in the EMHRN. Also the European Commission Communication adopted on 11 March on 'the enlarged Europe – a new neighbourhood', which deals with the European Union's relations with its new Eastern neighbours and the Mediterranean countries, includes interesting points.

The EMHRN position on the Communications is outlined in a joint paper with the FIDH and the OMCT published on 19 September 2003.

* On 3 February the EMHRN represented by Abdelaziz Bennani, Kamel Jendoubi, Marc Schade-Poulsen and Sandrine Grenier had a meeting with Ms Smadja, Director responsible for human rights at the DG Relex of the European Commission, to discuss the EIDHR programming as well as the MEDA report and mainstreaming of human rights.

EIDHR

* The EMHRN, represented by Sandrine Grenier, participated in meetings on 22 February and 23 October 2002 between Human Rights NGOs in Brussels and the Human Rights Unit at EuropAid in the European Commission to discuss the European Initiative for Democracy and Human Rights (EIDHR). She also participated in a meeting with the Relex human rights unit on 11 December to discuss the EIDHR planning for 2003. During the whole year she also had regular informal meetings with both units to discuss among others the implementation and planning of the EIDHR. She also had meetings with other relevant Commission's officials.

* The EMHRN, represented by Marc Schade-Poulsen, participated in two regional consultation conferences on the programming of EIDHR, organised by the European Commission in Amman, 10 -11 June 2002 and in Casablanca, 27-30 June 2002. The meetings gathered representatives of NGOs and governments from the Mashrek and Maghreb regions. The conferences included active participation of civil society including several members of the EMHRN and the recommendations from the Mashrek conference were in line with past recommendations of EMHRN and other NGOs.

On 14 July 2003, the European Commission organised a EU human rights forum, where representatives of the European institutions and NGOs discussed the EIDHR programming for 2004 and the following years. Commissioner Patten made an intervention followed by a short debate with NGOs. The group of human rights NGOs including the EMHRN had met twice before the meeting to prepare a common position, which was presented to the Commissioner orally. EMHRN participants were: Bahey El Din Hassan, Naceur Kefi, Leila Rhiwi, Sandrine Grenier and Marc Schade-Poulsen.

As a conclusion, the Commission declared that the observations expressed by NGOs during the Forum and comments by NGO forwarded before the month of October would be taken into consideration. The Commission also committed itself to organizing consultations on a regional basis to obtain a better harmonization between regional and country strategies and those of the EIDHR.

* In general the EMHRN has welcomed the commitment to introduce micro-projects schemes to be managed by the EU delegations in the Partner countries. However, the EMHRN is concerned by the small number of Mediterranean countries selected as focus countries (only Israel, Gaza/West Bank, Algeria, Tunisia, and Turkey) and by the reduction of the funds available for these countries as well as for the Mediterranean in general. It has also expressed particular concern that Morocco was not considered a priority area.

c. EU Human Rights Discussion Forum

* On 20-21 December the EU Human Rights Discussion Forum was held in Copenhagen. EMHRN members were Pierre Barge (LDH), Morten Kjaerum (DIHR), Margit Schmidt (Bruno Kreisky Forum), Panayote Dimitras (GHM), José Martin (Acsur), Iain Byrne (Essex), and staff: Marit Floe Joergensen, Sandrine Grenier and Marc Schade-Poulsen, as well as associate members from international human rights organizations.

d. Association Council Meetings

In relation to the signing of the Association Agreements between the EU and Algeria and the EU and Lebanon, 23 April 2002, the EMHRN sponsored a press conference in Valencia on 22 April, 2002 of the families of disappeared in Algeria and Lebanon that was organised by EMHRN member, SOLIDA, as well as Le Collectif des Familles des Disparus en Algérie.

The EMHRN took pro-active part in human rights advocacy in relation to bilateral association agreements between the EU and Algeria, Israel, Jordan, Lebanon, Morocco and Tunisia. For these activities, please, see under countries below.

e. The European Parliament

On 10 September 2003, EMHRN Vice President Kamel Jendoubi (with Amnesty International, Human Rights Watch and the FIDH) took part in a debate on the impact of 11th September on human rights, organized in the European Parliament by the human rights group of the 'Foreign Affairs Committee' (AFET). The EMHRN also had regular informal contacts with MEPs and EP administrators on various issues of relevance.

Earlier in 2003, the European Parliament was preparing a report on the MEDA programmes. The EMHRN was in contact with members of the European Parliament to work for a strengthening of the human rights considerations in report. On 3 June the European Parliament adopted the Pietrasanta report on the MEDA Programmes 2002, which contains many important paragraphs on human rights and women's rights, in line with the EMHRN recommendations. For other activities, please, see under themes and countries.

f. The Euro-Mediterranean Interparliamentary Assembly

In the preparation for a Euro-Mediterranean Inter-parliamentary Assembly, the EMHRN established informal contacts to advocate for the setting up of a sub-committee on human rights in the framework of the Assembly.

The EMPF working group on migrations convened in Brussels on 4 March. The EMHRN Trieste declaration on migration was distributed to the participants by the European Parliament Secretariat

g. Other Initiatives

* In the course of the year, the EMHRN held several bilateral meetings with other NGOs and organisations based in Brussels, in particular human rights NGOs, in order to co-ordinate actions. Sandrine Grenier participated regularly in the EU NGO Human Rights Contact Group meetings as well as meetings of Human Rights and Conflict prevention NGOs. Sandrine Grenier also participated in the regular meetings of the group of Human Rights, Democracy and Conflict Prevention NGOs that, among other things, prepares the meetings with the human rights units of the DG Relex and of EuropAid at the European Commission. In the spring this group of NGOs submitted a document to the Convention on the future of Europe. In addition, the EMHRN joined the human rights NGO Network in a statement with comments and recommendations sent to the Convention members on the first Treaty articles submitted to the Convention.

* The EMHRN represented by Sandrine Grenier and Marc Schade-Poulsen invited Brussels-based NGOs (AI, FIDH, OMCT, HRW) to a meeting on 7 April to present its work on the MEDA programmes and discuss the EU policy towards the Mediterranean and the Commission's new initiatives mentioned above. The following issues were discussed: the MEDA programmes, the European Commission's Communication on Wider Europe, the EU human rights policy in the Mediterranean in progress; mainstreaming of human rights and the reform process of the EuroMed civil forum.

* The EMHRN represented by Colm Regan and Marc Schade-Poulsen had meetings with the Irish Foreign Ministry 10-11 September 2002 to present the work of the EMHRN and explore possible ways of cooperation.

* The EMHRN, represented by Marc Schade-Poulsen, gave a presentation at the conference: Mediterranean Security, Stability and Cooperation: An Issue for all of Europe, in Stockholm, Sweden, 19-20 September 2002. Marc Schade-Poulsen also met with Zahir Jamal, chief of the regional Programme Division of the UNDP at a meeting in Copenhagen, 2 December 2002 and he participated in a conference in Potsdam, Spring Dialogues 2003 of the Development and Peace Foundation on 'The Neighbourhood Policy of the Enlarged EU: Stability and Prosperity as Realistic Goals', Germany 10-12 April, 2003.

The EMHRN, represented by Marit Floe Jorgensen, gave several lectures at Malmoe Hogskola (university) in Sweden on human rights work in the Mediterranean region after 11 September.

5. CIVIL FORUM

Since 1999 where the EMHRN took part in organising the first EuroMed Civil Forum meeting dealing systematically with human rights (Stuttgart 1999), Civil Forums have been an integral part of EMHRN work and an important part of its identity. Taking pro-active part in the Civil Forums has been a mean to promote and present human rights issues not only to civil society at large but also to the governments of the EMP and the EU institutions. Civil Forum work has also been a way to reach out to other parts of EuroMed civil society, and broaden alliances conforming with the EMHRN action plan, on questions relating to civil society participation in the Barcelona process, hereunder question related to freedom of assembly and speech.

However, in the past the EMHRN and a growing number of key actors have increasingly been dissatisfied with the methods of organising the Civil Forums and their lack of political impact on decision makers and civil society in general.

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| Action Plan As soon as the dates and location of the 5th EMP Summit is known, the EMHRN will take contact to relevant partners and officials in order to ensure a strong human rights input at the meeting. Furthermore, it will work for the strengthening of direct encounters between civil society representatives and governments before, under and after the Summits. |
| Adopted at Istanbul EC meeting following the Athens GAM General objective Civil Forum becomes a regular event based on democratic and participatory structures whose recommendations are actively fed into the Ministerial Meetings of the EMP and highlight key human rights as a priority. Mid term objective A structure of EuroMed Networks representative of independent civil society meet regularly in order to ensure follow-up with the aim of broadening 'critical' civil society participation in the Barcelona process. 1.1.1.4 Achievements o Establishment of a Non-governmental Platform for the EuroMed Civil Forum with a human rights input and the EMHRN as the temporary secretariat. 1.1.1.5 Not achieved o No regular meeting yet of formal EuroMed civil society structure |

Cognizant of these issues, past and present organisers of the Civil Forums - networks, institutions, foundations and NGOs including the EMHRN - met in the margins, and after, the Valencia Civil Forum in April 2002 to discuss how to strengthen the Civil Forum format.

At the meetings it was agreed to ask the Commission to review the format of the Forums and to initiate informal dialogues on how to organise the meetings in a more constructive way and how to strengthen civil society participation in the Barcelona process.

Thereafter, and following several informal consultations in which Kamel Jendoubi, Driss El Yazami and Marc Schade-Poulsen represented the EMHRN the Network took the lead in organising a workshop on strengthening the Euro-Mediterranean Civil Forum, 29-30 November 2002 in Brussels.

About forty participants from organisations that had been involved in the previous civil forums took part. They endorsed the content of a concept paper on how to strengthen the sustainability of the civil forums and agreed that a core group consisting of four existing Euro-Mediterranean Networks (i.e. on human rights, on culture, environment and trade unions) would provide the temporary follow-up including a redrafting of the concept paper stressing an inclusive and bottom-up consultation process in the region. EMHRN regular and associate members present at the meeting were Mohammed Chafiq (Espace Associatif), Bahey El Din Hassan (EC, CIHRS), Kamel Jendoubi (EC, CRLDHT), Gaby Juen (Amnesty International - Brussels Office), José Martin (Acsur), Theocharis Papamargaris (GCIDS), Gregory Vallianatos (GHM), Reyhan Yalcindag (IHD), Driss El Yazami (EC, LDH, FIDH) and Marc Schade-Poulsen.

In follow-up to the workshop in Brussels on 29-30 November 2002, and in cooperation with the above mentioned networks, the EMHRN organised a second meeting on the structure and reform of the Euro-Mediterranean Civil Forum process, 31 January – 2 February 2003 in Brussels which gathered about 35 representatives from regional networks as well as key institutions involved in the Barcelona Process took part.

The participants discussed questions related to:

- Civil society and the evaluation of the Euro-Mediterranean Partnership (EMP)
- Common Concerns and Goals for Euro-Mediterranean Civil Society
- Themes, Priorities and Continuity of the Civil Forums
- Ensuring a participatory process and political impact of the Forums and its spill-over effects on Euro-Mediterranean civil society.

In conclusion of the meeting the participants adopted a Strategy Paper and agreed to establish a '*Non-Governmental Platform for the Euro-Med Civil Forum*' with the broad aim to 1. Discuss issues of common concern; 2. Define a policy agenda on this basis and 3. Advocate for the adoption of this agenda by the EMP governments including the strengthening of the participation of civil society in the decision-making processes of the EMP.

The participants established an ad hoc follow-up group and asked the EMHRN to ensure the temporary secretariat of this group. Members of the follow-up group are currently: Rania Laham (Mossawa Center); Ameer Makhoul (Ittijah) ; Driss El-Yazami (FIDH/EMHRN); Farid Yaker (ENDA), Ghislaine Glasson Deschaumes (Transeuropeens), Giovanna Tanzarella (Fondation René Seydoux), Hajo Lanz (Friedrich Ebert Stiftung); Jean-François Courbe (European Trade Union Confederation); Kamel Jendoubi (EMHRN); Marc Schade-Poulsen (EMHRN); Mohammed Chafiq (Espace Associatif); Mourad Allal (Brussels and Marseille Civil Forums); and Patricia Jimenez (Heinrich Boell Stiftung).

The first task of the group was to contact the Greek and Italian presidencies as well as the European Commission to ask them to support the work of the Platform. Later the Follow-up group met in Paris on 6 April 2003 to discuss the preparation of the Chania Civil Forum 1-4 May 2003 and the Naples Civil Forum scheduled for November 2003. The Group agreed to forward letters to the Greek and Italian governments expressing its concern about the ongoing preparation of the Civil Forum and asking for support for the Platform.

Later, representatives of the Platform participated in the Civil Forum on the Dialogue of Cultures and Civilisations in Chania 1-4 May 2003. During the Forum a meeting between representatives from the Platform, the Commission and the Laboratorio Mediterraneo, the Italian organiser nominated for the next Civil Forum in Naples, took place. It aimed at exploring possibilities for cooperation between the Platform and the Laboratorio in organising the Naples Civil Forum.

The Follow-up group evaluated the outcome in Paris on 5 June 2003 to discuss the outcome of the Platform participants' meeting with the Laboratorio Mediterraneo and published a statement on conditions for organizing an inclusive, transparent and participatory civil forum.

As an outcome representatives of the Platform met with the Italian organizers of the Civil Forum in Naples, former operators of Civil Forums and the European Commission, at a meeting in Brussels on 8 July 2003 and agreed to take part in a Steering Committee of the Civil Forum. The steering committee would have responsibility for all organizational aspects of the Naples Civil Forum, i.e. general organisation, setting up themes, participation/invitation criteria, budgetary aspects etc. while an Italian organizing committee (i.e. the Fondazione Laboratorio Mediterraneo) would take care of all logistical, technical and administrative details to guarantee the smooth running of the Civil Forum.

Members of the Steering Committee are: Mourad Allal (Platform Coordinator), John Hontelez (European Environmental Bureau), Ameer Makhoul (Ittijah and Palestinian NGO Network), Abdelmaksoud Rachdi (Espace Associatif and Chouala), Marc Schade-Poulsen (EMHRN), André Claret (IEMED), Gregory Vallianatos (Greek Helsinki Monitor), Andrea Amato (IMED), Michele Capasso (Laboratorio Mediterraneo), Wassila Tamzali (Maghreb Egalité 95), Souad Triki (AFTURD), while the representative of the EuroMed Trade Union Forum is Rachid Khedim.

The proposed subjects (which will be submitted to the national consultations) to be discussed in Naples were: sustainable development (including questions linked to employment), good governance and the reinforcement of civil society. Two horizontal themes would be the expansion of the European Union and the new policy towards neighbouring countries; and the situation in the region after the war in Iraq.

In preparation of the Civil Forum the Platform planned a series of national consultations under the responsibility of the steering committee to guarantee the maximum involvement of civil society in both the enlargement and formalisation of the Platform and in the Naples meetings.

At the time of finalising this report the Steering group had met once and agreed on the general program and criteria for participation in the Civil Forum, and the Platform had initiated a series of innovative consultation meetings with civil society in the EuroMed region. However, evaluating that guarantees for the proper organisation of the Civil Forum in Naples were unsure, the Platform decided to dissociate the Platform process from the organisation of the Naples meeting.

** In parallel to the EuroMed Civil Forum process, the EMHRN has also followed the development of the Mediterranean Social Forum: The First Preparatory Assembly of the Mediterranean Social Forum was held in Morocco on 3-4 May 2003 with the participation of organisations from the Mediterranean countries, including José Martin, Acsur; Mourad Allal and Khémals Ksila on behalf of the EMHRN. The meeting discussed the structure and principles for the Mediterranean Social Forum. However, the outcome of the meeting and the way it was handled by the organisers were contested from several sides and the process awaits clarification.*

The EMHRN was represented (by Mourad Allal) at the second international assembly in Naples, 4-6 July 2003. The number of participants was larger and more diverse than in Rabat: 150 participants, including first time participants, from Egypt, Greece, Israel, Lebanon, Palestine and Turkey. On the agenda were the following points:

- Exchanges between networks on specific themes (women, culture, migration, environment, etc.)
- Meetings of working groups that were established in Rabat (programme, enlargement and communication, logistics and finances)
- Plenary sessions on general issues (evaluation of the EuroMed Partnership; WTO, etc.) from the report of the first Assembly and proposals from working groups.
- A demonstration in relation to the meeting of the EuroMed Ministers of Transportation

At the time of finalising this report the next meeting was scheduled to take place in Egypt.

* The EMHRN has been pro-active in launching an Arab Civil Forum process linked to the Arab League: In early 2003, the Cairo Institute for Human Rights Studies in partnership with the EMHRN and the FIDH received an important grant from the EU Commission to a project entitled 'Enhancing the Role of the Civil Society in Human Rights and Political Reform in the Arab Region'. The main objective of the project is to maximise civil society's contribution to democratisation, and political and legislative reforms on a regional Arab level. The proposed project is a part of a broader strategic enterprise that seeks to initiate a regional dynamic that addresses democratisation and revitalization of the Arab civil society. It includes a series of strategically timed meetings of civil society in relation to the Arab League Summits. EMHRN executive members, Bahey El Din Hassan, Kamel Jendoubi and Driss El Yazami, are members of the preparatory working group.

An important meeting in this context was the conference on the Arab Charter on Human Rights on June 10-12 2003 in Beirut, Lebanon, where EMHRN members Kamel Jendoubi, Aktham Naisse, Adbel Hussain Shaban, Raji Sourani, Abdelaziz Bennani, Amina Lemrini, Mokhtar Trifi, Wadih Al/Asmar, Khemais Ksila, took part as well as Essam Hassan and Ahmad Fathi Adel Hadi. The conference organised by the Cairo Institute for Human Rights Studies (CIHRS) and 'Adl', in close coordination with the EMHRN and the FIDH, issued an important declaration that is available at the CIHRS and the EMHRN. A second important meeting took place in France on "The practical ways to reform the Religious discourse", a special consultant meeting arranged by Cairo Institute for Human Rights Studies (CIHRS) in cooperation with International Federation for Human Rights (FIDH) and EMHRN. The meeting issued a statement entitled "No new religious discourse without a full political reform".

* Marc Schade-Poulsen on behalf of the EMHRN participated in a launching meeting of the Euro-Med Youth Platform in Malta on 17-21 September 2003. Apart from the formal part, the launching event included an information fair about organisations present, information about the Youth Platform and good practices in the Euro-Med Youth Programme. The

Youth Platform is a EuroMed programme commissioned to the Maltese government and coordinated by the Euro-Mediterranean Youth Platform in Malta.

6. DIALOGUE WITH GOVERNMENTS

Action plan

The Euro-Mediterranean Human Rights Network will seek to promote that human rights dialogues are being established in as many areas as possible within the framework of the Barcelona process. In this regard, the EMHRN will assist whenever needed members of the network in creating dialogues at the national level; use the international dimension of the network to engage itself in dialogues with governments as a supplement or alternative to a uniquely domestic dialogue. Before the fifth general assembly, it will produce a paper evaluating the outcome of its initiatives in this regard in order to stimulate discussions on how to move forward in this field. Regarding the dialogue conducted by members of the network, it will elaborate a tool box with good examples and methodologies taking into consideration the different cultural and religious traditions and approaches to dialogues.

Adopted at Istanbul EC meeting following the Athens GA

Dialogue with governments

Should be incorporated under EMHRN country and thematic strategies.

7. FREEDOM OF ASSOCIATION AND EXPRESSION AND THE PROTECTION OF HUMAN RIGHTS DEFENDERS

Prior to the GA in Marseille EMHRN work on human rights defenders, freedom of association and expression focussed on establishing a EuroMed platform to deal with the question of freedom of association. In addition the EMHRN intervened on a number of occasions regarding individual and collective cases, and cooperated broadly with the national and international human rights organisations.

The EMHRN has not yet established regional work on freedom of association within the membership. However, the Network strengthened its work by broadening alliances on civil liberty issues through the Civil Forum reform work (see above) and by promoting the establishment of the EuroMed Human Rights Foundation.

a. Cooperation with international NGOs

Action Plan

- The EMHRN will call major international human rights NGOs working in the region for an annual meeting in order to discuss how to improve coordination of activities, as well as priorities for work in the region. Furthermore, it will continue past practice of cooperating with international organizations and its members in sending missions to key trials, and with regard to urgent appeals.
- The EMHRN will finalize a proposal for statutes of the Foundation before the 5th General assembly of the EMHRN, including the proposal that membership fees to the EMHRN are earmarked for the foundation.
- The EMHRN will encourage member organisations and partners to run a seminar/ workshop with the aim of establishing a EuroMed network.
- As a follow-up to the seminar in Casablanca on Freedom of Association, the EMHRN will call for a meeting of key participants in order to ensure implementation of the recommendations of the seminar.
- The EMHRN will promote the idea of organizing a seminar on freedom of expression in the Euro-Mediterranean region in order to establish a platform and working program in this field.

Adopted at Istanbul EC meeting following the Athens GAM

General objective

Compliance in theory and practice with ICCPR and the Human Rights Defenders' Declaration

Mid-term objective

Raise the financial capacity of NGOs to take efficient local and regional action in order to promote civil liberties.

Achievements

- A final proposal for the establishment of a EuroMed Human Rights Foundation
- A Policy platform established for work on freedom of association
- EMHRN consults regularly with international NGOs
- EMHRN responds regularly to members when they are under attack
- EMHRN monitors trials on an irregular basis

- EMHRN addresses protection issues regarding defenders, freedom of expression and association on an irregular basis.
- EMHRN has established broad alliances with other EuroMed networks on the question of civil liberties

Not achieved

- Establishment of human rights Foundation
- Systematic work on freedom of association and expression and on trial monitoring

The EuroMed Foundation for Human Rights Defenders

In November 2001, the EMHRN finalised a proposal for a feasibility study on the establishment of a EuroMed Human Rights Foundation. The project was funded by DANIDA and implemented from May to July 2002 by two consultants, Jacob Gammelgaard (Rule of Law Consult) and Khémais Chammari (expert consultant and Individual member of the EMHRN), assisted by the EMHRN Secretariat.

The consultants met initially in Copenhagen 14 May 2002. Then at the GA, the Euro-Mediterranean Human Rights Foundation was discussed in one of the workshops and the consultants carried out interviews with EMHRN members. The consultants hereupon conducted field visits to selected countries in the region, and concluded with a meeting in Copenhagen 15 August 2002 with a DANIDA representative, Kamel Jendoubi and Marc Schade-Poulsen.

The feasibility study was finalised in October 2002 recommending the establishment of a Foundation. DANIDA approved the report in October 2002 considering that the consultants had fulfilled their assignment. In parallel the Executive Committee of the EMHRN validated the report at its meeting in Istanbul on 5-6 October 2002 and confirmed that it was ready to assume the task of establishing the Foundation. It appointed Kamel Jendoubi as the rapporteur in charge of following-up on the EC meeting with respect to the Foundation and preparing a plan of action and a timetable for the establishment of the Foundation. A timetable for establishing the foundation was drawn up and an expert in law of foundations and associations Mr Eskil Trolle (Bech-Bruun and Dragsted) agreed to draft the statutes of the Foundation awaiting detailed DANIDA response to the study.

The EMHRN, represented by Marc Schade-Poulsen, met with the Danish Foreign Ministry on 27 January 2003 to discuss the establishment of a Euro-Mediterranean Human Rights Foundation whereupon a proposal for statutes, mandate and principles for identifying the constituent assembly of the Foundation was agreed by the EC in Florence. Then at its meeting in Belfast, the EMHRN Executive Committee finalised a proposal for a mandate and statutes of a Euro-Mediterranean Human Rights Foundation to be forwarded to EMHRN members for discussion and the Danish Foreign Ministry has accepted the project proposal and agreed to fund 1/3 of the foundation budget for the first year.

Since then, meetings have taken place to raise the necessary capital and identify members of the Foundation's board. The mandate and statutes of the Foundation are for discussion and approval at the Malta General Assembly.

b. Other initiatives

* Following the great demand for the Casablanca Declaration of October 2000 on Freedom of Association in the Euro-Mediterranean Region, the EMHRN decided issue a reprint in June 2002.

* On 18-21 September 2002 in Crete, the EMHRN represented by Marit Floe Joergensen participated in a retreat organised by the Orthodox Academy of Crete in cooperation with the Martin Ennals Foundation. The retreat gathered about forty representatives who assessed the consequences, challenges and new opportunities for human rights defenders after 11 September. The final document from the retreat is available from the EMHRN Secretariat.

* Other actions in relation to freedom of association, freedom of expression and human rights defenders are reported below under country issues.

8. JUSTICE

At the EC meeting in Madrid 2001, the EC approved a proposal to establish a working group on Justice which subsequently met in Brussels on January 7, 2002⁶. The Brussels meeting it was decided to develop a concept paper to be presented at the General Assembly, to monitor the ongoing work of the EU under the Home and Justice Affairs, and to continue diffusion of the recommendations from the 2001 EuroMed Uppsala Conference on Access to Justice. It was also decided to prepare a survey report on justice in the Euro-Mediterranean region, which should be followed by a seminar. The concept paper was presented at the workshop on Justice at the GA in Athens while the report from the conference on 'Equal Access to Justice in the Euro-Mediterranean Region' was published a month earlier and distributed at the GA. Participants agreed on the priority of 'mapping' the situation of justice in the region to be followed-up by a regional seminar focussing on future actions (i.e. using the same format as the EMHRN work on women's rights).

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| <p>Action Plan</p> <p>In order to set-off a dynamic in the field of Justice, the EMHRN will promote the idea among its members of strengthening efforts to monitor trials on a local level and of strengthening legal advise centers; Support increased dialogue between the North, South and East of the Mediterranean on how to work towards common standards in the region; It will collaborate with the Danish, Finnish and Swedish governments on the organization of a regional conference in April 2001 on equal access to justice in order to review progress in this field; reach an understanding of common standards and changes needed; discuss methodologies and mechanisms for the promotion of equal access to justice within the framework of the Barcelona process. The EMHRN will establish a working group to support the organizers of the conference and the follow-up committee.</p> |
| <p>Adopted at Istanbul meeting following the Athens GA</p> <p>General objective</p> <p>Governance according to rule of law principles; full independence of justice and people's equal access to justice. This includes the adoption of an action plan by the EMP for the promotion of an independent judiciary. Establishing of legal advice centres by human rights NGOs in all EuroMed countries. EuroMed Fair Trial Monitoring Network established.</p> <p>Mid-term objective</p> <p>Establishing and promoting a report on the Judiciary in the Mediterranean and an action plan for promoting rule of law within the EMP context.</p> <p>Achievements</p> <ul style="list-style-type: none">• Access to Justice Conference report published.• Initial EMHRN Justice program adopted following Brussels WG meeting 2002 and Athens GAM• Working group on Justice established• Funding obtained for report and regional seminar• Research project under way <p>Not achieved</p> <ul style="list-style-type: none">• Final Report and seminar on Justice• Future action plan including for legal advise centres and trial monitoring network |

In the course of autumn the EMHRN had meetings and regular contact with Swedish International Development Agency which resulted in financial support for its justice program.

An EMHRN working group on Justice convened on 9-10 May 2003 in Paris that was generously hosted by Penal Reform International. The priority of the meeting was to establish the main themes and the terms of reference for a report on the state of affairs of justice in the Euro-Mediterranean region aiming at assessing the relationship between the judiciary, access to justice and democracy and conditions for the emergence of independent judiciary in the Mediterranean. This assessment should serve the overall objective of the report, which is to strengthen and empower civil society at large to act in the area of justice and to make recommendations to the EMP on how to support this process. The outline of the report was agreed upon and will be focus on 6 points: 1. general perspective, 2. organisation of justice within the state,

⁶ Georges Assaf (Human Rights Institute, Beirut Bar Association) cancelled participation due to illness. Abdelaziz Bennani (EC); Ahmed Othmani (PRI), Caroline Stainier, (individual member); Mokhtar Trifi (LTDH); Sandrine Grenier, EMHRN; Marc Schade-Poulsen, EMHRN.

3. the functioning of the judiciary including the status of magistrates, 4. fair trial and 5. access to justice. It was decided to launch the process of researching for the report immediately.

Following the recent harassments of judges and lawyers in Tunisia, the group also decided to send a letter of support to the president of the Tunisian Bar, as well as a letter expressing deep concern to the President of the Republic of Tunisia.

The participants of the Justice Working Group meeting were: Mr. Hassan Jabareen (Adalah); Mr. Ignazio Juan Patrone (MEDEL, Italy); Ms. Marie Anne Swartenbroekx, (MEDEL, Belgium); Ms. Jennifer Geen (Bar Human Rights Committee of England and Wales); Mr. Adel Abdelatif (UNDP Good Governance program for the Arab World); Abdelaziz Bennani (EMHRN); Mr. Marc Schade-Poulsen (EMHRN Secretariat); Mr. Mostafa Bouchachi (Algerian Human Rights League); Mr. Georges Assaf (Human Rights Institute, Beirut Bar Association); Mr. Per Stadig, (ICJ Sweden and individual member of the EMHRN); Mr. Awad EL Mur (Counselor, Egypt); Ms Anna Bozzo (individual member of the EMHRN); M. Ahmed Othmani (Penal Reform International); Ms. Dallia Romdhane (Penal Reform International); Mr. Nejjib Hosni (CNLT); Mr. Mohammed Mouaqit (Professor, Morocco); and Ms. Line Gamrath Rasmussen (EMHRN Secretariat).

Shortly after the meeting the EMHRN has commissioned two researchers, Professor Mohamed Mouaqit and Human Rights Legal Consultant Sian Lewis-Anthony, to do the report on the state of affairs of justice in the Euro-Mediterranean region. The research team met with Marc Scade-Poulsen in Copenhagen on 6 June 2003. On 3-4 July in Brussels 2003, in preparation for the report, Sian Lewis-Anthony and Sandrine Grenier met with several European institutions representatives dealing with political questions and EU programs on justice in the region.

Questionnaires are currently being sent out to a number of resource persons in the region to help the researchers in their analysis. George Assaf (Lebanon), Mustaphae Bouchachi (Algeria), Negad El Borai (Egypt), Rina Rosenberg (Israel) are among the resource persons contributing to the report.

It is intended that a meeting of the EMHRN working group on justice will be held in December to follow up on the questionnaires, give more input to the report and identify participants in a regional seminar in early 2004.

9. WOMEN'S RIGHTS

Women's rights have recurrently been debated at the EMHRN General Assemblies and members have proposed to establish a working group on women's rights under the umbrella of the EMHRN. Others have felt that the main challenge lies in integrating women's rights issues into all human rights activities and to avoid confining them to a separate sphere. However, it has been agreed that the first step should be to identify priority issues, ongoing activities and existing networks and organisations working in the field of women's rights in the EuroMed region. In this sense it has been agreed that the EMHRN should identify the added value it could bring to ongoing work..

Action Plan

The EMHRN will base its future work on the outcome of the conference on Women's rights planned with the FIDH aiming to: Review the current state of violations of women's rights (institutional, social, and domestic); Assess government policies to diminish discriminations against women; Assess and review major initiatives by women in the region with the view to diminish discriminations against women; Assess the major problems facing women in migration and in asylum; Draw-up recommendations for the Euro-Mediterranean Partnership.

Adopted at the Istanbul meeting following the GAM in Athens

General objective

Ratification without reservations of the CEDAW by all EMP governments and adoption of action plans for promotion of equal right of women.

Mid-term objective

Establishing of specific EU budget lines for women's rights project and development of EuroMed networking. Mainstreaming of women rights issues into EMHRN action plan. Adherence of women rights groups to the EMHRN and increase in number of women in the EC.

Achieved

- Publication of report on women's rights

- Regional seminar on women's rights
- Launch of report and meeting of women's groups on follow-up
- Report recommendations included in European Parliament report
- Specific EIDHR funding of sub-regional women's rights networks
- HRE Summer School includes women's rights

Not achieved

- Action plan for follow-up to report

Subsequently, a project was designed to establish a report on the situation of women's rights in the region and on the role of the Barcelona process in this regard, and, on the basis of the report, to organise a seminar coinciding with the 5th EMHRN General Assembly. The project was implemented from early 2002 by a research team composed of Rabea Naciri (Morocco) and Isis Nusair (Palestine) with the support of the Heinrich Boell Foundation. Their preliminary report 'Women's Rights in the Euro-Mediterranean Region: What Partnership?', identifying and mapping key problems and existing initiatives as well as listing recommendations for further promotion of women's rights within the Barcelona Process, was forwarded to participants of the one day women's rights seminar in Athens, 13 June 2002. The aim of the seminar was to discuss the report and thereby stir debate about how women's rights issues can be enhanced within the framework of the Euro-Mediterranean Partnership. Women's rights experts and representatives of women's rights organisations and networks were invited as well as all EMHRN members.

The report was furthermore discussed at the EMHRN human rights education working group meeting in Malta, 25-27 October, 2002 and in Rome 21-23 February 2003 and suggestions made as how to use the report in human rights education. In follow-up an invitation to design the cover of the report as well as a poster was posted the Web Site in December.

With the title of "Integrating Women's Rights from the Middle East and North Africa Region into the Euro-Mediterranean Partnership" the report was finalised by the authors, incorporating the valuable comments from the seminar in Athens and the English version was launched on June 5 2003.

The report was presented at the European Parliament's Women's Committee on 10 June 2003. On 11 June the EMHRN organised a round table with EMHRN members specialised on women's rights in the MENA region, international organisations, resource persons, as well as representatives of the EU institutions. The aim of the round table was to discuss how the recommendations of the women's rights report can be implemented, in particular by the EU institutions, and how human and women's rights defenders, and the EMHRN, can strengthen work on women's rights within the Euro-Mediterranean Partnership. Members of the Network present at the meeting were Rabea Naciri (ADFM), Alya Cherif Chamhari (Maghreb Egalité 95), Jean Gallagher, 80:20 Educating and Acting for a Better World; Driss EL-Yazamil (EMHRN/FIDH); Marit Floe Joergensen, Sandrine Grenier and Line Gamrath Rasmussen (all EMHRN secretariat).

The primary recommendation was to launch the report at sub regional meetings and to up-grade capacity building of members on the EMP mechanisms. The EMHRN is currently looking into the possibility of co-organising the suggested sub-regional meetings.

* The EMHRN, represented by Sandrine Grenier, participated on 25 March 2003 in an informal meeting organised by the Heinrich Boell Foundation with representatives of the EU institutions on the implementation of the EU regional program on Enhancing the Role of Women in economic Life.

10. MIGRANTS, ASYLUM SEEKERS AND HUMAN EXCHANGE

EMHRN work on the issue of migrants, asylum seekers and human exchange has primarily been channelled into a conference project. Following the GAM workshop on migration and refugees in Marseille 2000, the EC gave its assent to organise a seminar in order to take stock of the work done and to see what role the EMHRN should play. The conference took place 18-19 January, 2002, in Trieste, under the High Patronage of the Italian Ministry of Foreign Affairs

(and also in cooperation with the MEDA Institute in Trieste)⁷. The conference produced a report that is available on the EMHRN Web Site but did not succeed in bringing about necessary synergy for follow-up activities (see the GAM Athens activity report). However, the EMHRN continued efforts to up-grade activities in this field.

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| <p>Action Plan</p> <p>The EMHRN will organise a workshop with the participation of member organisations, experts and representatives of other relevant organisations with the mandate to out-line a program for; Monitoring the EU High Official Committee plan of action for Morocco in the field of migration; Gaining comprehensive knowledge of the situation of migrant and refugee protection in the South and East Mediterranean countries including the readmission agreements between the EU and its Mediterranean Partners; Discuss and identify needs for strengthened regional cooperation between human rights organisations, refugee organisations, migrant organisations and anti-racist organisations, in particular in relation to the question of undocumented migrants.</p> |
| <p>Adopted by the EC in Istanbul</p> <p>General objective</p> <p>Full ratification and integration into legislation and practice by member states with Geneva Convention of 1954 and Protocol of 1967, and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Active and comprehensive anti-discriminatory programmes implemented. Freedom of movement of people fully enhanced.</p> <p>Mid-term objective</p> <p>Establishing of report and case studies on migrants' and refugee rights in the Mediterranean. Establishing a NGO working group in Brussels. Identifying correspondents in the region. Establishing of a coordinating EMHRN group/WG.</p> <p>Achievements</p> <ul style="list-style-type: none"> • The EMHRN organised a conference on strategy and methodology in Trieste, 2002 • Platform for work was established • Missions to Israel and Spain accomplished <p>Not achieved</p> <ul style="list-style-type: none"> • No WG established • No systematic work is yet initiated |

* Based on the conclusions from the Trieste conference, a workshop on migrants and refugees convened at the GA. It discussed the establishment of a working group under EMHRN auspices on this issue as well as a report "mapping" the current situation of refugees and asylum seekers in the region (using the same format as the EMHRN report on women's rights). On the same occasion the EMHRN issued a press release expressing great concern about the frequent and grave rights violations of the thousands of (potential) asylum seekers or (un)documented migrants who live in Greece and are detained pending judicial or administrative deportation

The Athens Workshop was followed-up by a meeting on migration, refugees and asylum seekers with the participation of Driss El Yazami (EC, LDH), Eva Norstroem (EC, SRC), Theocharis Papamargaris (GCIDS), Sandrine Grenier and Marc Schade-Poulsen (both EMHRN Secretariat), Copenhagen 29 August 2002. The group identified priority issues on the basis of the recommendations of the working group at the GA in Athens including the establishing a general report on migrant and refugee issues around the Mediterranean, country reports on specific cases, identifying correspondents in the Mediterranean countries and establishing a small group of NGOs in Brussels. Finally it discussed ways of ensuring the financing of the projects.

In follow-up Driss El Yazami (EC, LDH), Theocharis Papamargaris (GCIDS) and Marc Schade-Poulsen (EMHRN), met with high officials of the newly established Greek Migration Policy Institute (MPI) in Athens on 19 December 2002 to explore possibilities for cooperation and exchange. The MPI proposed to cooperate on a structured basis once the Institute is operational. Since then internal difficulties within the Institute has hampered progress in this field.

⁷ EMHRN Members present were Ghassan Abdallah (PHRO), Mourad Allal (Forum of Mediterranean Citizens), Nabil Azouz (FTCR), Abdelaziz Bennani (EC), Said El Bikri (OMDH), Anna Bozzo (individual member), Nazmi Gür (EC, IHD), Christopher Hein ((CIR)), and a number of other CIR staff), Kamel Jendoubi (EC, CRLDHT), Angeliki Kotsantoni (GHM), Omar Mestiri (CNLT), Yousri Mustafa (CIHRS), Dominique Noguères (LDH), Eva Norstroem (EC; SRC), Theocharis Papamargaris (GCIDS), Philip Rudge (individual member), Samira Trad (individual member), Driss El Yazami (EC, LDH), Ali Zeidan (LLHR). Sandrine Grenier and Marc Schade-Poulsen (EMHRN Secretariat).

* On 13-17 July 2002 the EMHRN sent Smaïn Laacher (sociologist), on a mission of inquiry to Sevilla, Spain, to look into the social and legal situation of undocumented immigrants, who occupied a part of the Pable de Olavida University in Sevilla.

* On 7-12 December 2002, the EMHRN in cooperation with the FIDH sent a mission of inquiry to Israel consisting of Mr Michael Ellum (lawyer, international board of FIDH) and Mr Smaïn Laacher. The mission gathered information on the Israeli government's policies on the trafficking of workers in Israel in order to determine whether the policies as well as the practice conform to Israel's obligations to the ILO and the relevant UN conventions and its commitment to international human rights standards in the Barcelona Declaration. The background to the mission was information that Israel is about to expel about 50 000 migrant workers from Israel.

The report from the joint FIDH-EMHRN mission of inquiry to Israel was published in August and September 2003 and entitled Migrant Workers in Israel: A contemporary Form of Slavery – a joint FIDH-EMHRN publication.

* The EMHRN signed an appeal by NGOs supporting the universal ratification of the UN Convention on the protection of all migrant workers and members of their families.

11. HUMAN RIGHTS EDUCATION

Human rights education (HRE) has been an item on each general assembly of the EMHRN and gave rise to the first working group within the EMHRN. HRE activities in the name of the EMHRN have subsequently primarily taken place within the framework of this group (HRE WG) in follow-up to the policies and recommendations adopted by the GA

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| <p>Action plan</p> <p>The EMHRN will build on the results of the Bray workshop on human rights education and pay attention to the need to train its members in human rights education to ensure the development of new generations of human rights defenders. In particular it will draft a EMHRN Declaration on Human Rights Education; take stock of current activities and approaches to HRE within the countries represented in the Network. Design and publish an annotated listing of human rights related Internet sites; develop an EMHRN site with effective HRE content for different groupings etc. Organise an annual or bi-annual Summer school. Commissioning a human right "primer" or "reader" of key documents and writings within human rights. Explore possibilities for the build-up of training programs in a Euro-Mediterranean context for new generations of human rights activists.</p> |
| <p>Adopted by the EC in Istanbul</p> <p>General objective</p> <p>Human rights education promoted as an integral part of educational and human rights curricula, and agendas in the Euro-Mediterranean region. This includes appropriate education of new generations of human rights activists in human rights values and standards. Ensuring that human rights education is an integral part of programmes carried out within the context of the Barcelona process, in particular youth and school programmes, programmes aimed at law enforcing personnel and the judiciary, diplomats as well as journalists.</p> <p>Mid-term objective</p> <p>Establishing regular human rights Summer Schools; establishing an educational web site; continued production of EuroMed human rights readers; development of a policy paper for the EMP.</p> <p>Achievements</p> <ul style="list-style-type: none"> • The holding of regular WG meetings • Framework document established • Translation of human rights reader into Arabic finalised; • Front page of Educational web site constructed. • Summer School on HRE successfully implemented • Production of Photo Pack on Palestinian refugees in Lebanon in the pipe-line • HRE Concept paper published <p>Not Achieved</p> <ul style="list-style-type: none"> • HRE web site • Publication of human rights reader |

*On 25-27 October 2002, the HRE WG working group on human rights education and training met in Malta, with the participation of Ruth Farrugia (Mediterranean Masters Program, Faculty of Law, University of Malta), Abdelmonim El Gak

(CIHRS), Omar Grech (Academy of Diplomatic Study, University of Malta), Antonia Papadoupoulou (Greek Helsinki Monitor), Colm Regan (EC, (80:20 Ireland), Natasha Shawarib; (Sisterhood is Global, SIGI- Jordan), Antonio Stango, (Italian Helsinki Committee) and Marit Floe Joergensen (EMHRN Secretariat). It was decided to call for a competition to design an EMHRN poster/ cover for the women's rights report and to work on a resource pack on women's rights as well as photo packs on Sabra and Shatilla. The group endorsed the background paper on HRE, which subsequently was presented to the Executive Committee. The group also discussed the holding of the first EMHRN HRE summer school in September 2003 and the Human Rights Reader being prepared by Wa'el Kheir

The next meeting of the HRE WG took place in Rome 21-23 February 2003 with the participation of Diego Bang (Danish Institute for Human Rights), Abdelbasset Ben Hassan (Arab Institute for Human Rights, Tunisia), Ruth Farrugia, Omar Grech, Lina Osseiran (Foundation for Human and Humanitarian Rights in Lebanon), Antonia Papadoupoulou, Colm Regan, Nadia Sebti (Centre for Documentation, Research and Information, Morocco), Natasha Shawarib, Antonio Stango and Marit Floe Jorgensen. Members of the group gave interviews to the Vatican Radio and participated in a public meeting on the EMHRN, its human rights education work and human rights work in the Euro-Mediterranean region. The group also met with Anna Bozzo, individual member of the EMHRN, and students at the university Roma III.

At the WG meeting, the group continued discussions of the Reader on Human Rights which was presented by the Foundation for Human and Humanitarian Rights in Lebanon and the Summer School on human rights education. It furthermore had initial discussion on strategic planning for 2004-2008.

Work was continued in in Tunisia 16-18 May 2003 with the participation of Abdelbasset ben Hassan, Ruth Farrugia, Omar Grech, Lina Osseiran, Antonia Papadoupoulou, Theresia Pedersen (Danish Institute for Human Rights), Colm Regan, Natasha Shawarib, Antonio Stango and Marit Floe Jorgensen.

The group agreed on a timetable for the publication of the Reader on Human Rights, on the program and practicalities for the Summer School, and it made progress on the photo pack project on the Sabra and Shatilla refugee camps. The group also discussed criteria for membership in the HRE WG; how to promote the women's rights report in educational work, and agreed on a final version of a background paper on HRE. The last day the WG attended a meeting at the Arab Institute for Human Rights on the integration of human rights into the school curricula.

Subsequently Theresia Pedersen, Natasha Shawarib, and Antonio Stango went to Lebanon 22-28 July to meet with representatives of the Palestinian Human Rights Organisation (PHRO) and other Palestinian groups working on the photo pack on Sabra and Shatilla. They also met with Ruwayda Hajj from the Lebanese branch of the Arab Institute of Human Rights, discussing the preparation of the EMHRN HRE Summer School, as well as with Zoya Ruhana from the Lebanese Council to Resist Violence against Women, and Lina Osseiran Beydoun from the Foundation for Human and Humanitarian Rights in Lebanon.

The first EMHRN first summer school on Human Rights Education took place in Lebanon 7-12 September 2003. 15 participants were selected mainly among the EMHRN members and explored different methodologies of working with human rights together with the WG members. Colm Regan and John Johnston, 80:20 Educating and Acting for a Better World, Wa'il Kheir and Lina Oseiran Beydoun, Omar Grech; Abdelmonim Al-Gak, Cairo Institute for Human Rights Studies, Natasha Shawarib, Antonio Stango, Antonia Papadopolou, Joumana Merii from the Women's Democratic Gathering, Sama Aweidah, Women's Studies Centre, Palestine (and Aisha Network), and Marit Floe Jorgensen acted as facilitators.

The objectives of the Summer School were: to build capacity within the EMHRN in Human Rights Education; to share the work experiences and skills as well as expertise of Network members and partners; to explore and discuss the key theme of 'Cross Cultural Dialogue' and its implications for human rights education as well as to progress the human rights agenda of the Network and, in particular, the agenda of the Human Rights Education Group

The group were introduced to each other through artwork the first day. The second day the values of human rights were discussed and the participants were given the philosophical, historical, religious, and political background to human

rights. Hereafter they examined the Universal Declaration and the covenants. The fourth day used women's right as a case study. The EMHRN's report on the integration of women's rights from the Middle East and North Africa into the Euro-Mediterranean Partnership was introduced. Hereafter participants worked on the CEDAW and women's political participation, before in the afternoon doing an art-workshop on the meaning of belonging. The fifth day the participants were divided into groups which visited the Council to resist Violence against Women; Pedagogic Research Centre (working on integrating HR in the curriculum of schools) and the Palestinian Human Rights Organisation (working on the photo pack). In the afternoon all went to the Palestinian refugee camps of Sabra and Shatilla. The final day of the Summer school was devoted to feed back from the field visits, a presentation of the work of the EMHRN and evaluation of the Summer school.

A report from the Summer school will be prepared. At the time of finalising the Activity report the Concept paper on HRE and the Photo Pack from Palestinian refugee camps in Lebanon were in print.

For other HRE education activities within the framework of the EMHRN, please see below under Algeria and Syria.

* The EMHRN has regularly recommended to the Danish Centre for Human Rights that members of the Network attend the DCHR bi-annual training courses on human rights. Representatives of the Algerian League for the Defence of Human Rights, the Committee for the Defence of Freedoms in Syria and the Palestinian Human Rights Organisation have attended the last courses.

12. SELF DETERMINATION AND THE RIGHTS OF REFUGEES

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| <p>Action plan The EMHRN will promote discussion among its members in order to arrive at a strategy in this field and in order to identify how it can add value to ongoing initiatives.</p> |
| <p>Adopted by the EC in Istanbul General Objective End of occupation, implementation of the right to return, establishment of a democratic Palestinian state. This includes that the EU agrees on the implementation of the 4th Geneva Convention principles and enforcing action for the protection of civilian population. <i>Mid-term objective</i> Launch of series of events addressing European public and decision makers within the context of the Barcelona process.</p> <p>Achievements</p> <ul style="list-style-type: none"> • The holding of three working group meetings • Finalising of feasibility study on International Human Rights Tribunal on Palestine • Missions to Palestine-Israel on an irregular basis • Active participation in Brussels lobby • Employment of interim coordinator responsible for internal communication, in particular on Palestine <p>Not Achieved</p> <ul style="list-style-type: none"> • Continuity of WG meetings • Regular action on Palestine |

For activities, please, see under Palestine and Israel.

13. ECONOMIC AND SOCIAL RIGHTS

In the field of economic and social rights the EMHRN has focused on raising awareness of the importance of a rights based approach to economic and social development within the Barcelona process and on developing capacities within its own membership, in academia and institutions about the interrelation and interdependency of human rights. A major achievement was a training seminar on the relation the human rights implications of the MEDA funding programs conducted in November 2001 and the report on the same issue (see above)

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| <p>Action Plan The EMHRN will run a training seminar for its members on the economic chapter of the Barcelona Declaration, on its ideological foundation, and on its relation to the human rights dimension of the Barcelona process.</p> |
| <p>Adopted by the EC in Istanbul <i>General objective</i> Economic, social and cultural rights are actively integrated into mainstream human rights promotion and protection. This includes that human rights mainstreaming is taken fully into account in the MEDA programmes, EIB programmes and other initiatives aimed at creating prosperity and development (including initiatives regarding the free trade zone). <i>Mid-term objective</i> See under mechanisms. Achievements</p> <ul style="list-style-type: none"> • Successful training seminar and launch of report on the MEDA programs • Preparation of workshop on economic and social rights at the EUI Mediterranean Conference in April 2004 <p>Not achieved</p> <ul style="list-style-type: none"> • Systematic work in this field |

The report on the Human Rights Implications of the MEDA Programmes was published and released in English 22 October 2002, and in French on 13 November, 2002 while the Arabic version was finalised in March 2003. The rest of the year the EMHRN followed-up on the report in the EU institutions where it sparked wide debate. As a result, the EMHRN was invited by the European Commission to discuss the MEDA report on 3 February 2003. Around 15 representatives from the DG Relex and Europe Aid participated in the meeting. The Commission agreed to take the recommendations of the report into account in its work and to follow-up on the implementation of the recommendations with the Network, in particular with regards to the development of a methodology for mainstreaming and initiating a pilot study. The EMHRN was represented by Abdelaziz Bennani, Kamel Jendoubi, Marc Schade-Poulsen and Sandrine Grenier. Iain Byrne and Charles Shamas, authors of the report, took also part in the meeting.

In parallel the EMHRN explored the possibility to organise a workshop on economic and social rights in the Mediterranean region in cooperation with the Mediterranean Program of the European University Institute in Florence on the occasion of its 5th Mediterranean Conference of the European University in Florence, Spring 2004.

The purpose of the workshop would be to bring together eminent researchers on the relation between economic, social, political and civil rights and on the Mediterranean together with a group of human rights activists from the EMHRN member base to discuss methodologies and perspectives in this field, notably in order to build up capacities to deal with human rights when the EuroMed Free Trade Zone is installed. Adel Abdelatif, Coordinator of the UNDP Arab Good Governance Programme in Beirut, and Ivan Martin, Associate Professor at the Universidad Carlos III in Madrid agreed to work as scientific directors of the workshop in cooperation with the EMHRN.

A call for abstracts was launched in August 2003 on both the EUI and the EMHRN websites and at the time of finalising this report prospects for a good workshop were promising.

14. HUMAN RIGHTS, THE WAR ON TERRORISM AND THE REHABILITATION OF INTERNATIONAL LEGITIMACY

In the aftermath of the 11th September events it proved important to raise the issue of the relation between fighting terrorism, human rights and international legitimacy. The question has proved to be decisive for human rights in the EuroMed region and it is an issue that crosses through EMHRN priorities. Despite the cross cutting nature of the question this report has chosen to high-light some activities in this separate chapter.

The 5th GAM of the EMHRN in Athens was in itself a moment of high-lighting the question of human rights and terrorism and took place in follow-up to a symposium on *Human Rights and Terrorism*, organised by the Cairo Institute for Human Rights Studies in Cairo 27-28 January 2002 in partnership with the EMHRN and the FIDH (please see the GAM report).

Following the GAM in Athens the EMHRN, the CIHRS and the FIDH explored possibilities of following-up on the question. The EMHRN represented by Colm Regan had several meetings with international organisations in order to launch an international meeting on human rights in the aftermath of 11 September in London, December 2002, but the meeting was postponed awaiting sufficient human and financial resources.

* On behalf of the EMHRN, Bennani participated in the 59th session of the Human Rights Commission in Geneva, April 2003, in order to advocate for a human rights approach to the Iraq war. He had meetings with representatives of international NGOs as well as representatives of the governmental delegations.

* Finally, on 28-30 August 2003 the EMHRN co-organised a seminar on "The Human Rights Situation in Iraq and the Impact on Human Rights in the Euro-Med Region", with the CIHRS and the Danish Institute for Human Rights (DIHR). The seminar took place in Copenhagen. EMHRN members present were: Ghassan Abdallah, Abdelaziz Bennani, Nazmi Gur, Bahey El-Din Hassan, Kamel Jendoubi, Morten Kjaerum, Hussain Shaban and Samira Trad.

15. COUNTRIES

The EMHRN has worked extensively on country issues both in relation to members working on the ground and in bringing member concerns to the EU and EMP institutions. It has however not yet arrived at a clearly outlined strategy for each country. The following pages narrate activities and achievements:

a. Algeria

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| <p>Action Plan Algeria should be given special consideration</p> |
| <p>Achievements</p> <ul style="list-style-type: none"> • Support for the holding of two Summer Schools in Kabylia. • Sustained advocacy in Brussels on human rights issues in Algeria |
| <p>Not achieved</p> <ul style="list-style-type: none"> • No defined strategy. |

The EMHRN main inputs to human rights in Algeria have been taken place on three levels. In terms of advocacy it cooperated with the LADDH and the Organisation of the Family of Disappeared, independent lawyers and the Brussels based international human rights organisations in activating the human rights article of the Association Agreements. In terms of capacity building the EMHRN supported the holding of a LADDH run Summer School on human rights. In terms of monitoring it followed and published human rights concerns expressed by national and international human rights organisations.

Specific actions following the Athens General Assembly are the following:

* On 22 May 2002, the EMHRN issued a press release following the arrest on 19 May 2002 of Abderrahmane Khellil, member of the Algerian League for the Defence of Human Rights (LADDH).

* On 27 May 2002 the EMHRN and FIDH also sent a letter to the European Parliament concerning the human rights situation in Algeria in relation to the Assent procedure regarding the EU-Algeria Association Agreement.

* On 3 June 2002 the EMHRN sent a joint letter with FIDH to the EU troika on the occasion of its meeting with the Algerian government.

* On 10 July 2002, EMHRN in cooperation with FIDH supported the visit of a delegation of human rights defenders in Brussels and Strasbourg to meet with Parliamentarians including a public hearing with Nassera Dutour, le Collectif des Familles des Disparus en Algérie, Abderahmane Khellil and Yahia Assam, League for the Defence of Human Rights (LADDH) and Driss El Yazami (EMHRN EC, LDH; FIDH).

* EMHRN supported the 3rd LADDH summer school course on human rights in Algeria, which took place in Kabilya in August. Khémals Ksila from the LTDH participated as speaker on behalf of the EMHRN and reported to the EMHRN on the Summer School.

* During Autumn the EMHRN continued actions towards the EU Parliament with Algerian as well as international human rights organisations on the EU-Algeria Association Agreement. In cooperation with AI, FIDH, and HRW, it sent another letter to the European Parliament in view of the vote on the Agreement, 30 September 2002. The same organisations later forwarded a last minute appeal to the Parliament recalling the need for human rights safeguards.

* During Summer and Autumn 2003 the EMHRN in cooperation with CIPA (member of the EMHRN) arrived at an agreement on the support of a member initiative that should lead to a major event in 2004 documenting gross human rights violations in Algeria.

b. Egypt

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| Action plan No mention |
| Achievements <ul style="list-style-type: none"> • Missions and meetings on an irregular basis |
| Not achieved <ul style="list-style-type: none"> • No explicit strategy |

The EMHRN has monitored the human rights situation in Egypt on the basis of reports from national and international NGOs with a particular focus on the Law on Association and the clamp-down of the Egyptian authorities on key civil society representatives and organisations.

Specific actions following the Athens General Assembly are the following:

* On 3 June 2002, the EMHRN issued a press release concerning the threat to freedom of association by the adoption by the Egyptian parliament of a new bill on non-governmental organisations (NGOs).

* On 26-27 July 2002, the EMHRN co-organised a workshop on the freedom of association and the Egyptian law on association with the Egyptian Organisation for Human Rights (EOHR) on the occasion of EOHR's annual intellectual forum. Among the EMHRN members present at the meeting were Abdelhussain Shaaban (Arab Organisation for Human Rights in the UK), Ghayath and Aktham Naisse (CDF-Syria), Khader Shkirat (LAW), Raji Sourani (PCHR) and Abdallah El Walladi (OMDH).

* EMHRN issued a press release following the confirmation by the court of cassation of the conviction of Saad Eddin Ibrahim to seven years imprisonment with hard labour, 30 July 2003.

* On 19 September the EMHRN represented by Abdelaziz Bennani (President) and Sandrine Grenier met with the Egyptian Ambassador to the EU in Brussels in order to discuss human rights in Egypt and the EMP.

* On 2 April 2003 The EMHRN issued a press release on the clamp down on the anti-war demonstrators in Egypt.

* On 13 June 2003 the EMHRN issued a press release on the Egyptian government's use of the new law to restrict the formation of human rights organizations.

c. Israel

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| Action plan No mention |
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| <p>Achievement</p> <ul style="list-style-type: none"> • Missions and reporting on an irregular basis • Proactive participation in Brussels advocacy group • Monitoring of the Association Council meetings between Israel and the EU <p>Not Achieved</p> <ul style="list-style-type: none"> • No explicit strategy |
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EMHRN activities in relation to Israel have been closely linked with the question of the Occupation of the West Bank and Gaza and with the connected situation of the Arab Palestinian minority in Israel.

Specific actions following the Athens General Assembly are the following:

* The EMHRN supported the participation of members and speakers at a Seminar on 20 June in the European Parliament concerning 'EU-Israel bilateral relations in the framework of International and European Law: The case of the EU-Israel Association Agreement' (Souhad Bishara (Adalah), M Faraj Abdallah (PHRO), José Martin (Acsur), Theocharis Papamargaris (GCIDS), Mohamed Zeidan (AAHR), Ghada Zeidan (LAW). Also, EMHRN members Khader Skhirat (EC) and Hamdi Shaqqura (PCHR) gave a presentation at this seminar). This hearing was organised by several NGOs including the EMHRN under the coordination of Aprodev and hosted by Parliamentarians from the Parliament's six main political groups. It was an opportunity to exchange views with representatives from the EU Institutions and additional meetings took place the days before and after with representatives from the European Commission, Council and European Parliament.

* On 21 August 2002 EMHRN and eight other human rights organisations sent an open letter to the Israeli authorities expressing their concern about the investigation of Adalah urging Israel to ensure that any investigation be conducted transparently, in conformity with the relevant laws in Israel and that Adalah and all other human rights organizations, are allowed to exercise their rights without hindrance.

* The EMHRN together with FIDH and OMCT sent a letter to the EU foreign ministers and the EU commission in relation to the EU-Israel Association Council on 21 October 2002.

* In general, the EMHRN participated in several regular co-ordination meetings in Brussels with other international and European human rights and development NGOs working on Palestine/Israel towards the implementation by the EU institutions of the human rights clause of the EU-Israel Association Agreement. These organisations included Aprodev, Association for Peace (AP), Pax Christi, Lawyers without Borders (ASF), International Cooperation for Development and Solidarity (CIDSE), the FIDH, the OMCT, the European Coordinating Committee on NGOs on the Question of Palestine (ECCP), the Platform of French NGOs for Palestine and Solidar.

Together with these NGOs under the coordination of Aprodev organised an information and lobbying visit of organisations working on the Arab's minority rights in Israel on 25-28 November 2003 in Brussels. The organizations were members of the EMHRN, the Arab Association for Human Rights and Adalah, and also Ittijah, Mosawa, Sikkuy, the Regional Council of Unrecognised Villages in the Negev, and Women against Violence. Meetings were organised with representatives of the European Commission, the European Parliament, and the Council of EU as well as representatives of the Belgian government and parliament. Driss El Yazami gave a presentation on this occasion on behalf of the EMHRN and the FIDH.

d. Jordan

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| <p>Action plan</p> <p>No mention</p> |
| <p>Achievements</p> <ul style="list-style-type: none"> • Reports on the press freedom • Meetings on an irregular basis with government representatives • Monitoring of meetings of the Association Council between the EU and Jordan |

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| <p>Not achieved</p> <ul style="list-style-type: none"> No explicit strategy |
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Since the AGM in Marseille the main bulk of EMHRN work on Jordan focussed on the question of press freedoms resulting in the publication of a substantive report in May 2002. In follow-up to the report and to the dialogue meetings with representatives of the Jordanian government, the EMHRN monitored the development of the association agreement between the EU and Jordan.

Specific actions following the Athens General Assembly are the following:

- * The EMHRN issued a press release following the conviction of journalist and former Jordanian Parliament member, Toujan al-Faisal on 16 May 2002.
- * On 3 February 2003 the EMHRN, represented by Abdelaziz Bennani and Sandrine Grenier, met representatives of the Jordanian mission to the EU. The setting up of a national human rights institution for human rights, the MEDA programs, and freedom of the press and freedom of expression as well as women's rights were discussed.
- * The EMHRN prepared a statement on human rights for the EU-Jordan Association Council that was scheduled for 22 July 2003. However, the meeting was postponed to 14 October 2003. At the time of writing the statement was in the process of being up-dated.

e. Lebanon

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| <p>Action Plan:No mention</p> |
| <p>Achievements</p> <ul style="list-style-type: none"> MEDA support for civil society Missions of inquiry on refugee situation Mission to the UNHCR in Geneva on the question of non-Palestinian refugees Facilitation of capacity building for the ACSRA and the PHRO Strong human rights element in EP resolution on Association Agreement between the EU and Lebanon |
| <p>Not achieved</p> <ul style="list-style-type: none"> No explicit strategy |

The EMHRN has in the past monitored the human rights situation in Lebanon by holding and attending a number of meetings in the country and by organising missions on the situation of the Palestinian and non-Palestinian refugees (please see past activity reports). In the months following the Athens GAM main efforts were invested to follow-up on the Association Agreement signed by Lebanon and the EU in April 2002.

As a result of EMHRN and members' joint efforts in cooperation with international NGOs the EP on 16 January 2003 adopted a political resolution on the Association agreement in which views of human rights NGOs were largely taken into account including the setting aside MEDA funds for human rights, monitoring the human rights in the country and taking view points of civil society into consideration, concern for freedom of expression, the disappeared and the Palestinian and non-Palestinian refugees.

Specific actions following the Athens General Assembly are the following:

- * On 12 September 2002 the EMHRN issued a press release following the closure of the Al-Murr television endangering freedom of expression in Lebanon.
- * On 24 October 2002 the EMHRN in cooperation with the OMCT, FIDH, HRW sent an open letter to the European parliament in relation to the discussions in the European Parliament concerning the Association Agreement between the European Union and Lebanon. It then had several contacts with MEPs and the Commission as follow up.

* On 3-8 November the EMHRN assisted, together with the FIDH, in organising meetings for a Lebanese delegation visiting Brussels. The delegation consisted of representatives of Lebanese human rights organizations: EMHRN members were Kristel Halter (PHRO), Wadih Ange Al Asmar (SOLIDA) Charles Chartouni (FHHL); also ALDHOM was represented by Alice Keyrouz. They had various meetings in the European Parliament, and with the Council and the Commission, sharing their concerns on the human rights situation in Lebanon. They also participated in a public hearing at the European Parliament's Foreign Affairs Committee on 5 November in which Driss El Yazami (EC, LDH, FIDH) also gave a presentation.

The EP gave its assent to the EU-Lebanon Association Agreement on 16 January 2003 and adopted at the same time a political resolution on the Association agreement. As mentioned above the views of NGOs were largely been taken into account. Thus in January 2003 the European Commission decided to unblock one million Euros for a MEDA program in Lebanon which includes a human rights component. The Commissioner for External Relations, Mr. Patten, went to Lebanon in the beginning of February and raised some human rights issues as well as the question of the rights of the Palestinians refugees with the Lebanese authorities.

* A European Parliament delegation went to Lebanon on 11-15 June 2003 and met with EMHRN members.

* In July 2003, Faraj Abdallah, PHRO, had a number of meetings with representatives of the European Commission in Brussels. He also discussed with EMHRN representatives about the possibility of organising a mission of European Parliament Members on Human Rights, and in particular, on Palestinian and non-Palestinian refugees in the beginning of next year in Lebanon.

* Samira Trad, individual member of the EMHRN, and executive director of the Frontier Centre, Lebanon, was arrested by the Lebanese authorities on 10 September and held in custody for 30 hours. She was first charged with "acting through a non-declared association", and "harming the reputation of Lebanon", however, after her release, only the second charge was upheld, based allegedly on results from a study on Iraqi refugees. The EMHRN issues press releases and EMHRN members at the HRE Summer School Colm Regan, Omar Grech and Marit Floe Joergensen visited the jail in which Ms Trad was detained. Ms Trad had previously been on a trip to Denmark, Norway and Sweden organized by the EMHRN in order to present the work of the Frontier Centre for NGOs and government authorities.

f. Libya

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| Action plan: No mention |
| Achieved |
| <ul style="list-style-type: none"> • Advocacy support in Brussels |
| Not achieved |
| <ul style="list-style-type: none"> • No explicit strategy |

Libya is not a partner to the EMP and is at present one of the most difficult countries in which to work on human rights.

The Libyan League for Human Rights has since the GAM in Marseille been regular member of the EMHRN and EMHRN has since Marseille worked to organize a first public event on human rights in Libya. This work was to some degree hampered by the focus on 11th September. However, on 8 October 2002 in cooperation with the FIDH, Human Rights Watch and Amnesty International EMHRN members Kamel Jendoubi (EC; CRLDHT), Driss El Yazami (EC; LDH; FIDH) and Sandrine Grenier were involved in the preparations of a public hearing on the human rights situation in Libya that was held at the Foreign Affairs Committee of the European Parliament on 8 October. Representatives of the Libyan League for Human Rights (Mansour Kikhia, M. Hadi Shalluf and Ali Zeidan) gave presentations in addition to Amnesty International and Driss El Yazami. The hearing was followed by a debate with members of the EU parliament.

g. Morocco

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| Action plan |
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| Establishment of a working group under the Association Agreement between the EU and Morocco. |
| Achievement <ul style="list-style-type: none"> • Publications memorandums and statements on the human rights situation • Bi-lateral working group on human rights under the Association Agreement with the EU agreed by Morocco and the EU |
| Not Achieved <ul style="list-style-type: none"> • No explicit strategy |

The EMHRN cooperated with Democratic Association of Moroccan Women, OMDH and Espace Associatif in promoting the results of the EuroMed Seminar on Freedom of Association in Casablanca, October 2000. The EMHRN also took part in the general monitoring of the human rights situation with organisations like the Avocats sans Frontières, the FIDH, OMCT, Human Rights Watch, Amnesty International and issued several press releases concerning specific key cases in Morocco. The EMHRN forwarded statements on the occasion of the association council meetings and actively promoted the idea of creating human rights working groups and actions plans under this umbrella. Finally, the EMHRN took active part in advocating for the European Initiative for Democracy and Human Rights to reconsider decision not to prioritise human rights project in Morocco. The EMHRN also advocated for the establishment of a working group on human rights under the Association agreement with the EU.

Specific actions after the Athens GA were:

* On 12 December 2002 the EMHRN issued a joint statement with Amnesty International, Avocats sans frontières, Belgium; Human Rights Watch, and the Observatory for the Protection of Human Rights Defenders (FIDH and OMCT); regarding the detention of Captain Mustapha Adib in Morocco.

* The EMHRN represented by Sandrine Grenier participated in a Moroccan TV programme (on M2) in December 2002 about the recent development regarding the human rights situation in Morocco and the implementation of the EU-Morocco Association Agreement.

* On 24 February 2003 the EMHRN in consultation with its members in Morocco, the ADFM, Espace Associatif and OMDH sent an open letter in relation to the EU-Morocco Association Council, in which it was recalled that human rights are an essential element of the Agreement and that a human rights sub-group could be created in the future.

* On 22 May 2003, the EMHRN issued a press release on the imprisonment of the Moroccan journalist, Lamrabet.

* On 4 September 2003, and in connection with the Executive Committee in Morocco, 5-6 September 2003, Abdelaziz Bennani, Kamel Jendoubi, Marc Schade-Poulsen and Sandrine Grenier of the Executive Committee met with Mr Aujjar, Minister of Human Rights, and Mr Azzoiman, President of the Human Rights Consultative Council, and raised concern about the set-back in the human rights field in particular following the terrorist attacks in Casablanca on 16 May 2003. The EMHRN representative also had a meeting with members, ADFM, Espace Associatif and OMDH, as well as representatives of the AMDH, Vérité et Justice and Transparency Morocco, during which the human rights situation in Morocco was raised including strengthened cooperation in relation to the EU institutions. Finally, the EMHRN representatives met with the EU Delegation.

h. Palestine

Objectives are outlined under thematic priorities on self-determination and the right of refugees:

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| Action plan The EMHRN will promote discussion among its members in order to arrive at a strategy in this field and in order to identify how it can make a difference compared to ongoing initiatives. |
| Adopted by the EC in Istanbul General Objective End of occupation, implementation of the right to return, establishment of a democratic Palestinian state. This includes that the EU agrees on the Implementation of the 4 th Geneva Convention principles and enforcing action for the protection of civilian |

population.

Mid-term objective

Launch of series of events addressing European public and decision makers within the context of the Barcelona process.

Achievements

- The holding of three working group meetings
- Finalising of feasibility study on International Human Rights Tribunal on Palestine
- Missions to Palestine-Israel on an irregular basis
- Active participation in Brussels lobby
- Employment of interim coordinator responsible for internal communication, in particular on Palestine

Not Achieved

- Continuity of WG meetings
- Regular action on Palestine

The EMHRN has since the GAM in Marseille that took place shortly after the start of the Al Aqsa Intifada sought to create more concerted effort of EuroMed human rights NGOs with the main aim of ending occupation, promoting respect for the 4th Geneva Convention and bringing the EU and EMP institutions to adopt a more pro-active human rights approach.

Shortly after the Al Aqsa intifada the EMHRN sent a mission to Palestine and after the Marseille GAM it convened a meeting in Brussels with Israeli, Palestinian, Arab and European NGOs. Following a decision by the EC to establish a working group on Palestine, the EMHRN organised the first formal meeting with its Israeli and Palestinian members, as well as European members and international partners in Geneva, December 2-3, 2001. The aim was to strengthen focus, develop synergies and improve co-ordination of actions and the meeting led to a follow-up in Geneva 23-24 March, 2002, where the participants⁸ discussed and agreed on a concept paper; discussed the issue of missions, monitoring; networking; strengthening the impact of WG meetings; planning and time-lines; and a message to be forwarded to the EuroMed governments. The concept paper was presented to the workshop on Palestine at the GA, and was adopted with few modifications and it was again suggested to employ a coordinator on Palestine. To follow-up on the meeting, the EMHRN undertook substantial efforts to raise funds for a full-time coordinator to the group.

Subsequently the EMHRN launched a vacancy in July to which 42 candidates responded before the deadline on 1 September 2002. Five candidates were selected for job interviews on 16 October conducted by Kamel Jendoubi and Marc Schade-Poulsen. A report from the interviews with recommendations were forwarded to the EC and further consultations conducted with EMHRN members in the region. However, no candidate gained unanimous support and therefore decisions about how to proceed with the working group were postponed to the first EC meeting in year 2003.

In the meantime Khader Shkirat resigned as Director of LAW in August 2002 and ceased effectively active participation in EC work until his resigning from the EC on 9 April 2003.

In the light of the lack of progress of the WG and the case of LAW, the EC decided to convene for a small meeting with EMHRN members to discuss how to move the EMHRN agenda forward on Palestine. Per Stadig, ICJ-Sweden, Bahey El-Din Hassan (CIHRS/EC); Driss El-Yazami (LDH/FIDH/EC); Stefan Luetgenau (Bruno Kreisky Foundation); Diane Luping (LAW); Eva Norstroem (Swedish Refugee Council/ EC), Marc Schade-Poulsen and Sarah Han (EMHRN Secretariat) participated in the meeting. The group proposed to send a mission to Palestine to inquire into the working

⁸ Stefan Luetgenau (Bruno Kreisky Foundation) ; Giovanna Lellii (Aprodev) ; Hannah Friedman (Public Committee Against Torture (absent)) ; Eva Norstroem (EC Swedish Refugee Council); Per Stadig, (individual member), Ron Dudai, (B'Tselem) ; Khader Shkirat (EC, LAW) ; Mohammed Zeidan (Arab Association for Human Rights) ; Hassan Jabareen (Adalah) ; Bahey El Din Hassan (CIHRS); Ghassan Abdallah (Palestinian Human Rights Organisation); Mireille Mendez France (International Association of Democratic Lawyers) ; Charles Shamas (Mattin Group); Vicki Metcalfe / Jaaber, (PCHR); Randa Siniora (Al Haq) ; Salpy Eskidjan (World Council of Churches) ; Alexandros Karides (World Council of Churches) ; Ghada Zeidan (LAW) ; Liz Hodgkin (Amnesty International) ; Nathalie Mivelaz (OMCT) ; Hanny Megally, (Human Rights Watch) ; Dianne Luping (LAW), Marit Floe Jorgensen, Sandrine Grenier and Marc Schade-Poulsen (EMHRN Secretariat).

conditions of civil society, to contribute to the drafting of a human rights road map to peace and to revive the working group on Palestine.

In follow-up to the meeting, the EMHRN employed Marita Roos for an interim period in charge, amongst other, to promote internal EMHRN communication regarding the Palestine question. Marita Roos started her assignment in early July 2003, and organised a EMHRN mission to Jerusalem, the West Bank and Gaza (15-22 July 2003) composed of herself, Stefan Lütgenau, Bruno Kreisky Foundation and executive director Marc Schade-Poulsen. The aim of the mission was to inquire into the working conditions of civil society after the outbreak of the al-Aqsa Intifada, particularly emphasising the work of the human rights NGOs.

The mission met with EMHRN members: Hassan Jabareen, Adalah; Jessica Montell; B'Tselem; Mohammed Zeidan, Arab Association for Human Rights; Ja'bar Wishah, Hamdi Shaqqura and Victoria Metcalf, Palestinian Centre for Human Rights (Gaza); Hannah Friedman, Orah Maggen, Gabi Lasky, Yuval Ginbar, Ze'ev Zamir and Badawi Qawasmi, Public Committee Against Torture in Israel; and a representative of LAW, Jihad Sarhan. Apart from meeting with EMHRN members the mission had several meetings with non-member Palestinian NGOs as well as governmental donors. A report from the mission is forthcoming.

* In parallel to the above mentioned activities, and following the Marseille and Athens GAM recommendations, the EMHRN initiated dialogue with the Plum Foundation to establish a feasibility study for an International Tribunal on the Situation in Palestine. The project was implemented in autumn 2002 by Lawyer Angela Gaff and included several missions to Israel, Palestine and Brussels. The study was published in June 2003 in English and Arabic. The report argues that Palestinian and Israeli civil society groups need more information about the opportunities offered by a Tribunal in order to give them ownership of such an initiative. It also argues that there is little evidence as to the impact of past 'civilian tribunals'. The report was well received by a number of commentators but it did not indicate feasibility and relevance of organising a Tribunal.

Other EMHRN activities on human rights in Palestine after the Athens GA were:

* The EMHRN co-organised a preparatory course for the Ecumenical Accompaniment Programme to Palestine and Israel (EAPPI) from 11-19 August in Denmark and 19-26 August in Jerusalem in cooperation with the Danish Centre for Human Rights and Dan Church Aid, and under the auspices of World Council for Churches. The course was intended for medical students going to the West Bank for six months to assist the local staff at DCA health projects and to observe the situation at check points. Representatives of B'Tselem and LAW and of the EMHRN Secretariat assisted in the course that focussed on practical training on monitoring human rights violations.

* In cooperation with DanChurch Aid, the EMHRN supported a visit to Denmark by Ya'el Stein, research director of B'Tselem, 24-28 August 2002, and organised a hearing in the Danish parliament on the EU's Mediterranean policy, especially with regard to Israel with the participation also of Marc Schade-Poulsen.

* In June 2002 the EMHRN supported 'Convergence Palestine / Israel' a joint project by Transeuropéennes, FIDH and LDH consisting of a series of dialogue meetings in Paris with Israeli and Palestinian participants.

* The EMHRN organised a trip to the Scandinavian capitals and Holland 28 October to 1 November 2002 for Mr Ghassan Abdallah, director of the Palestinian Organisation for Human Rights (PHRO) in Lebanon. Mr Abdallah had meetings with relevant persons in the foreign ministries, development aid agencies, refugee organisations as well as other human rights organisations. The EMHRN also supported Faraj Abdallah's from the PHRO coming to Brussels in September to have several meetings with the European Institutions.

* The EMHRN assisted in coordinating meetings for an Israeli-Palestinian delegation of women, who visited Denmark, 12-14 November 2002. This was part of their trip to several European capitals to lobby for a project on 'Women at the Negotiating Table: Contribution of Women to the Peace Process in the Middle East', organised by the Heinrich Boell Foundation. The delegation met with representatives of the Danish Foreign Ministry, members of parliament, journalists, and women's rights organisations.

* The EMHRN participated in hosted network meetings of Danish NGOs working on Palestine and Israel on 24 October 2002, 22 January 2003, 8 May 2003, and 4 September 2003

* The EMHRN represented by Sandrine Grenier participated in several regular meetings in Brussels with NGOs working on Israel and Palestine. The group of NGOs have been asking for the suspension of the EU-Israel Association Agreement due to the grave human rights violations committed by Israel.

* The EMHRN issued a joint press release with other human rights organisation on the harassment of monitors in the Occupied Palestinian Territories on 26 May 2003.

i. Syria

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| <p>Action Plan Syria should be given special consideration</p> |
| <p>Achievements</p> <ul style="list-style-type: none"> • Regular cooperation with the CDF in support for human rights activities. <p>Not achieved</p> <ul style="list-style-type: none"> • No explicit strategy |

Syria has since the Amman 2000 meeting of the Executive Committee been defined as one of three countries in the EMP where the working conditions of civil society is particular difficult (Algeria and Tunisia being the two others, and Libya a fourth country remaining outside the EMP). Syria is a specific case in the EMP context as it is the only one that did not conclude an association agreement with the EU.

The EMHRN, the Committee for the Defence of Human Rights in Syria and other EMHRN members, in particular the Cairo Institute for Human Rights Studies, have cooperated to strengthen human rights based civil society work in Syria. The process has been initiated through several EMHRN mission to Syria and EMHRN as well as CIHRS meetings and consultations with CDF. The outcome has resulted in regular contacts between the EMHRN offices and the CDF, the regular publication of human rights review, Al Sawt, regular releases of statements on human rights in Syria and human rights training courses for Syrian human rights defenders implemented by the Cairo Institute for Human Rights Studies. The first took place in Cairo on 10 to 17 October 2002. The second was at the time of writing this report planned to take in October in Cairo, in addition to a special course for CDF board members and a CDF general assembly, facilitated by the CIHRS and the CDF Syria.

Other specific actions on Syria

* Kamel Jendoubi represented the EMHRN at a seminar organised on 24 June by the Friedrich Naumann Foundation in Brussels entitled: Syria: From a Centralised Political Culture to a Democratic Pluralistic One. Participants were representatives from Syrian NGOs and from the EU Institutions.

* The EMHRN secretariat remained in regular contact with CDF representatives in Syria following Syrian authorities' threat to completely prohibit CDF activities in Syria. The EMHRN also were in regular contact with the CDF regarding the organization of a CDF general assembly.

j. Tunisia

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| <p>Action Plan Tunisia should be given special consideration.</p> |
| <p>Achievements</p> <ul style="list-style-type: none"> • Strong awareness raising within the EU of human rights problems in Tunisia • Monitoring of Association Council meetings between Tunisia and the EU • Small-scale support to the CNLT. |

- The organisation of a funding trip for the CNLT to Scandinavia.
- Support to CNLT and LTDH presence at Brussels meetings.
- Support to a European Caravan on Human Rights in Tunisia.
- Monitoring presence in Tunisia on four occasions.
- The publication of several joint statements on the situation in Tunisia.
- The publication of reports on trials in Tunisia.

Not achieved

- Regular and systematic work to strengthen capacity of NGOs and EMHRN strategy
- No conditionality regarding Tunisia by the EU.

Tunisia has since the Amman 2000 meeting of the Executive Committee been defined as one of three countries in the EMP where the working conditions of civil society is particular difficult (Syria and Algeria being the two others, and Libya a fourth country but outside the EMP). In addition Tunisia has been considered a key country being the first having signed an Association Agreement with the EU and the first where the AA entered into force. Tunisia has thus been a test case for the strength of the human rights instruments that are embedded in the EMP.

As such the EMHRN and many of its members and associates have been actively involved in campaigning and awareness raising on a European level and vis-à-vis the European institutions, in trial monitoring, reporting and issuing of press releases. It has also taken part in work to promote EU funding of independent Tunisian NGOs.

Amnesty International, l'Association des Tunisiens des Deux Rives, The Bar Human Rights Committee of Wales and England (BHRC), le Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie, le Conseil National des Libertés en Tunisie, la FIDH, la Ligue des Droits de l'Homme, Human Rights Watch, la Ligue Tunisienne pour la Défense des Droits de l'Homme, the OMCT, individual members Anna Bozzo and Caroline Stainier (also working with Avocats sans Frontières) and Khemais Chammari have been amongst the key players in the campaigns, monitoring and trial monitoring while a great number of EMHRN members have taken part in the general awareness raising in Europe and the Arab world.

It is the EMHRN's belief that the joint efforts of the NGOs has had a significant impact on EU-Tunisian relations and have led to significant change of attitude of key players with the EU institutions vis-à-vis Tunisia and pressure on Tunisia to comply with its international human rights obligations, including allowing Tunisian NGOs freedom and funds to act. The human rights situation in Tunisia has however not improved neither has the process of democratisation. Continued and focussed cooperation and work by the human rights community is therefore needed.

EMHRN and members actions vis-à-vis Tunisia between November 2000 and May 2002 are outlined in the 5th General Assembly Report.

Specific actions following the Athens General Assembly are the following:

* On 20 June the EMHRN, in cooperation with Lawyers Without Borders, Belgium and the CRLDHT, sent Ms Caroline Stainier, individual member of EMHRN, on a mission to Tunisia to attend the trial of Zouheir Yahyaoui. EMHRN issued two press releases on the arrest of Yahyaoui and a joint statement on the verdict.

* From 9-12 July 2002, Mr Jean-Pierre Dubois of Human Rights League, France paid a solidarity visit to Ms Radhia Nassraoui on behalf of EMHRN, FIDH and CRLDHT. Ms Nassraoui was on a hunger strike for more than four weeks protesting against the authorities' refusal to let her visit her husband Hamma Hammami, who had been incarcerated since February 2. Her protest was also directed against the deplorable prison conditions including systematic torture to which her husband and his three co-defendants are subjected. Hamma Hammami and Samir Tamallah were released on 4 September due to their health conditions.

* EMHRN also issued a press release protesting against the 8 month prison sentence delivered against Tunisian Journalist Abdallah Zouari on 26 August 2002.

* At the end of the year, the EMHRN alerted the EU institutions about the worrying developments in Tunisia, in particular the harassment of judge Yahyaoui, several lawyers and human rights defenders. This issue was raised during the December plenary session in Strasbourg.

* On 20 January 2003, Sihem Ben Sedrine and Omar Mestiri, Conseil National pour les Libertés en Tunisie (CNLT) visited the EMHRH in Copenhagen 20 January 2003 to discuss cooperation with the EMHRN and the situation in Tunisia. In January 2003 the EMHRN and members supported an action week for the judge Yahiaoui organised by several human rights NGOs including the CRLDHT.

* The EMHRN Brussels office represented by Sandrine Grenier was in regular contact with EMHRN members in Tunisia and took part in general advocacy efforts related to EU funding and policies related to Tunisia.

* On 26 September 2003 The EMHRN, the FIDH and the OMCT jointly issued a statement on the human rights situation in Tunisia prior to the EU-Tunisia Association Council on 29 September 2003.

k. Turkey

| |
|---|
| Action Plan No mention |
| Adopted by the EC in Istanbul Achievement <ul style="list-style-type: none"> • Missions and reports on an irregular basis • Concept paper for an EMHRN WG on the Kurdish question Not achieved <ul style="list-style-type: none"> • WG on the Kurdish question • Sustained dialogue with EMHRN members. • No explicit strategy |

Turkey is a full partner to the EMP as a Mediterranean country and human rights issues relevant to Turkey broadly resemble those of many South Mediterranean countries in particular when it comes to the rights of the Kurds. However, Turkey also represents a particular case in the sense that its main interaction with the EU is channelled through accession negotiations in order to become full EU member.

The EMHRN and its members have in the past worked in relation to Turkey by systematically inviting members based in Turkey to meetings on regional issues and by monitoring key trials against human rights defenders as well as produced joint reports. In addition activities have focussed on legislative screening of Turkish legislation in relation the Accession procedures. Involved in these activities has been the Danish Institute for Human Rights, the Human Rights Association (IHD), the Kurdish Human Rights Project, the OMCT, the Tunisian League for Human Rights (see the Marseille and Athens activity reports).

At the General Assembly in Athens the participants approved a declaration on the establishment of a Kurdish Working Group with the aim to assist the EMHRN and execute various activities on its behalf protecting and promoting the human rights of the Kurdish people.

In follow-up to the meeting one of the initiators, lawyer Jon Rud, observer at the Athens GAM, drafted a proposal for the work of the group that was translated and circulated to those participants who had expressed interest in joining the WG. The document met however little feed-back in the first instance.

In the meantime then, the EMHRN held an EC meeting in Istanbul in September 2002 where several contacts were made with Turkish human rights defenders including a mission to Diyarbakir by Kamel Jendoubi, Marit Floe Joergensen and Sandrine Grenier. Subsequently the secretariat staff conducted several consultations to further explore the feasibility of establishing a working group on the Kurdish question.

As a result, the EMHRN organised a meeting in Copenhagen on 5 May 2003 on how to activate the Kurdish working group. Nazmi Gur, IHD, Jon Rud, Klaus Slavensky, Danish Institute for Human Rights, Marc Schade-Poulsen and Sarah Han (EMHRN Secretariat) participated in the meeting. The group proposed that in order not to duplicate the good work done by other organisations, the specificity of the EMHRN WG in the Kurdish issue could be to monitor how the EU responds to the HR reporting information it receives regarding the Kurds in Turkey, and to which extend it is doing an adequate job promoting democracy and human rights. It was also proposed to send a mission to Brussels to inquire into current EU human rights monitoring of Turkey in preparation of the first working group.

The purpose and activities of the working group on the Kurdish issues were subsequently outlined in a concept paper that was approved with some amendments at the EC meeting in Belfast. At the time of writing a mission to Brussels was scheduled for early November in anticipation of a first WG meeting.

16. NEW MEMBERS

For the General Assembly in Malta the EC recommends that the following are adopted as:

Regular member :

- The Bar Human Rights Committee of Wales and England (BHRC)
- CIPA (Comité pour la Paix, les Droits de l'Homme et la Démocratie en Algérie)
- Al Haq, Palestine
- Sisterhood is Global (SIGI), Jordan

Associate member :

- OMCT (World Organisation Against Torture)

Cancellation of memberships

* The Vice President of the Forum of Mediterranean Citizens announced to the EMHRN in March 2003 that its members had decided to dissolve the organisation. Its membership of the EMHRN therefore ends.

* The Executive Committee recommends that the General Assembly exclude LAW from membership. The recommendation follows an Audit report (Investigation Report, 25 March 2003) that was very incriminating regarding management practices in the organisation in particular regarding former Director, Khader Shkirat. The latter never gave an explanation regarding the Audit report to the Executive Committee and did not attend executive committee meetings after the GAM in Athens. In addition, the EMHRN was never informed about initiatives of the board of LAW to reform management practices of the organisation.

In July 2003 an EMHRN mission to Palestine did not succeed in meeting LAW representatives despite requests. However, the mission team was told by former LAW staff that LAW had a new composition of its board, that it appointed a new director, that it transferred its office from Israeli territory to Area C in the West Bank, that it transferred its funds to Ramallah, and that it sought to register under a new name under the Palestinian authorities. Despite several written requests from the EMHRN asking LAW to forward relevant documents concerning nominations to the board, appointment of Director and current registration, the representatives of LAW did not forward any of legal document requested.

The Executive Committee discussed the case of LAW at its meeting in Casablanca. It sent a letter to LAW 30 September 2003 informing LAW that it would recommend the GAM to exclude the organisation and it encouraged LAW to produce relevant documents that might convince the EC to change decisions.

17. ORGANISATIONAL MATTERS

a. EC members

* On 9 April, the EMHRN received an e-mail announcing Khader Shkirat's resignation from his post at the Executive Committee of the EMHRN because of other obligations.

b. Management group

* The EC management group held meetings in Copenhagen, 17.5.2002 and 14-15 February 2003. In addition, Kamel Jendoubi came to Copenhagen 27-28 July 2003 for a budget meeting with the executive director. Kamel Jendoubi and Colm Regan both came to Copenhagen in July 2003. The main items of the meeting have been the development of statutes, by-laws, regulations on wages and salaries, job descriptions and action plan.

c. Auditing and administrative cooperation

EMHRN auditing and accounting procedures were initiated and established in the period between 1 June 2001 and 1 May 2002 in cooperation with the private auditing company PriceWaterHouseCoopers.

In 2003 the EMHRN accounting systems became fully operational and independent from the Danish Centre for Human Rights (after 2003 the Danish Institute for Human Rights) including the employment of a full time accountant. The system is managed through Internet and has made EMHRN payments and transfers easier and faster to handle.

In August 2003 The EMHRN finalised the process of developing job description for all employees and at the end of the report period the EMHRN was about to finalise an internal wages and salaries agreement based on EU, Danish and Belgium legislation and on relevant trade union agreements with the Danish state.

A document on EMHRN internal rules of procedures were drafted during 2003 and were about to be finalised at the end of this reporting period.

d. Funding

In the past period the Marc Schade-Poulsen and Colm Regan had meetings with Foreign Department representatives in Ireland. Marc Schade-Poulsen also had meetings with representatives of SIDA in Sweden and DANIDA in Denmark. On 15 July Marc Schade-Poulsen and Sandrine Grenier, had a meeting with the European Commission's Europe Aid office on 15 July regarding continued support for the work of the EMHRN. It was agreed that an evaluation of EMHRN work should be initiated in this regard.

e. Staff

Regular Staff

The EMHRN Secretariat was during the entire period staffed by the following:

Executive director, Marc Schade-Poulsen: In charge of contacts to the EC, EC meetings, the General Assembly, fund raising, representation, content of reports, program development and mission concepts, annual narrative and financial reports, coordination of workshops, staff management and development, etc.

Information officer, Marit Floe Joergensen: In charge of maintaining the EMHRN website in three languages, writing newsletters to members, and until 2002 writing minutes from EC meetings, the organisation of missions, developing thematic priorities within the field of human rights education, women's rights, web site and external information, training, proof reading and publication of reports.

Administrative coordinator, Sannie Nielsen, employed with the main task of setting-up meetings, seminars, managing travel accounting, book keeping, filing, correspondence, ad hoc translations, contact to translators, and distribution of reports and after 2002 servicing the Executive Committee meetings.

Full-time coordinator in Brussels, Sandrine Grenier, with the main task to: represent and implement the policy of the EMHRN and its members in relation to the institutions and representatives of the EU and the EMP; inform EMHRN members about the policies and development of the institutions of the EU and the EMP; facilitate access of EMHRN members to the institutions of the EU and the EMP; and maintain close contact to other organisations in Brussels.

On 1 January 2003 Elaine Kitzbull-Jessen was employed as full time accountant in charge of managing EMHRN accounts, book keeping, auditing etc.

In May 2003 Line Gamrath-Rasmussen was employed on an 11 months interim basis as full-time officer in charge of servicing the NGO Platform for the EuroMed Civil Forum, the launch of the EuroMed Human Rights Foundation and for coordinating other EMHRN meetings.

On 7 July 2003 Marita Roos was employed on an 8 months interim basis in charge of internal communication with a specific reference to Palestine.

On 15 September 2003 Maibritt Damgaard Nielsen took over Sannie Nielsen's responsibilities as administrative coordinator during Sannie's maternity leave.

Interns

Sarah Han, worked as an intern for the EMHRN from September 2002 to May 2003 and was replaced for one month by Carmen Lloveres.

Student assistance

The EMHRN have in the report period employed two part-time students (15 hours per week). From 1 January 2002, Lea Arentoft was employed to manage the website. Leila Drar, after finishing her internship with the EMHRN, was employed as a student assistant until 31 December 2002. From 17 January 2002, to 19 July Stine Berner also worked as a student assistant. Laurence Le Moing, assisted the EMHRN as a full time student assistant from 21 May to 19 July 2002. Alejandra Jørgensen started working as an interim student assistant 1 August 2003.

Translators

Translations are made outside the secretariat while proof reading is done by the secretariat. In order to keep up with the increasing EMHRN demand for translation into our three working languages, the EMHRN made a call for translators in August 2002.

Work days

The EMHRN held weekly staff meetings in Copenhagen and full day staff meeting with both the Brussels and Copenhagen 10 April, 25 June and 19 December 2002 and 4 March and 17 June 2003 in order to strengthen internal working procedures and planning

18. ACKNOWLEDGEMENTS

* The EMHRN is grateful to members and associates for their voluntary support and assistance and for promoting the EMHRN and acting on its behalf and in its name in the past period without which the network had not succeeded in functioning according to its mandate, i.e. as a genuine network.

* The EMHRN also thanks Erik Trolle for drafting of statutes of the EuroMed Human Rights Foundation. It is grateful for the financial support received by DANIDA; Dan ChurchAid; The EU Commission; the Ford Foundation; Friedrich Ebert Stiftung; Heinrich Boell Stiftung; NOVIB; the Plum Foundation and SIDA and for constructive partnerships concluded with the Cairo Institute for Human Rights Studies

EMHRN, 30 September 2003

Annex 1 :

EUROMED HUMAN RIGHTS FOUNDATION

PROJECT DESCRIPTION

1. Human Rights and Democratisation in the South Mediterranean Region: The Current Situation

In November 1995, by signing the Barcelona Declaration, the 15 member states of the European Union and 12 Mediterranean Partners from the South and East of the Mediterranean⁹ laid the foundation of an ambitious project to progressively establish a free trade zone and to strengthen political, economic, social and cultural co-operation. Significantly, one of the solemnly proclaimed objectives of the Declaration was to make the Mediterranean Basin 'an area of dialogue, exchange and cooperation guaranteeing peace, stability and prosperity'. In this way the 27 signatory governments to the Barcelona Declaration agreed to develop the rule of law and democracy in their political systems, to respect human rights, including the freedoms of association and expression, to combat racism, xenophobia and intolerance. Furthermore, they acknowledged the essential contribution civil society can make in the development of the Euro-Mediterranean Partnership and that civil society is an essential factor for greater understanding and closeness between peoples

This proposed project aims to support the development of the human rights dimension of the Barcelona Process by establishing a EuroMed Human Rights Foundation.

Human rights conditions around the Mediterranean basin have for many years given rise to grave concern. Human rights organisations have amply documented how in parts of the region governments erode press freedoms and use torture and extra-judicial executions. In several countries freedom of association is under attack or severely hampered and women's rights are denied. In some cases freedom of movement is arbitrarily restricted, and more generally it is systematically impeded¹⁰.

Among the Southern Partners, although progress in democratisation was made in the 1980s, hereditary monarchies or militaries dominate political life,¹¹ and, more generally, government approaches to human rights are governed by internal and external security considerations. Civil society is weak, and human rights defenders often work under difficult or dangerous conditions. Furthermore, the scarcity and unequal distribution of resources have become sources of social tensions.

The tragic events of September 11 2001 in New York have led to a reinforcement of the trends mentioned above. Regimes have seized the legitimate need to fight terrorism as an opportunity 'to emphasise order and security while the democratic space is reduced and human rights are restricted' (as pointed out by Ms. Mary Robinson, former UN High Commissioner for Human Rights, *Le Monde*, June 15, 2002).

In addition, the breakdown of the Palestine-Israeli peace process and the continued occupation of the West Bank and Gaza has led to the radicalisation of policies and to a dramatic spiral of lethal force used against the civilian populations that places the prospects peace in the Mediterranean region and the Euro-Mediterranean Partnership into peril.

⁹ Algeria, Palestinian Authority, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria and Turkey. At the Ministerial Conference in Stuttgart in April 1999, Libya was accorded observer status.

¹⁰ Cf. *White book by 8 human rights organisations assessing five years of EMP with regards to respect for human rights*, 15 November, 2000, www.euromedrights.net.

¹¹ Cf. Ghassan Salamé, 1994, *Démocraties sans démocrates*, Paris: Fayard.

In this overall atmosphere, extremist, fundamentalist and inward looking nationalist movements have been on the rise in the region, displaying highly suspect attitudes towards democratic values and individual rights, especially towards the rights of women; this trend risks to be further aggravated by the impact of the war against Iraq.

2. Support for Civil Society and Human Rights Groups

In this regional context, the need to support and promote a human rights culture and the consolidation of a nascent, democratic civil society is crucial, as the UNDP Arab Human Development Report in 2002 also highlighted. In this respect, the material and financial support of individuals and groups working for the promotion and protection of human rights is imperative.

The EMHRN, through an increased involvement in activities related to the protection and the capacity building of human rights NGOs, has come to realise the extensive needs for readily available and flexible funding. A DANIDA Feasibility Study¹² revealed NGOs' expressed need for urgent relief for needs ranging from support of human rights defenders under attack, to office space and basic equipment, funds to cover minimal operating budgets training courses, capacity building, costs of attending meetings abroad and establishing contacts with international donors, etc. To this is added the need to undertake investigations, such as into the use of torture, violence against women, disappearances and corruption, that in some cases require considerable technical, human and financial resources.

The main public and private donors are constrained from supporting NGOs' urgent needs due to administrative procedures, mandates, and/or human resources available. The procedures of bilateral and multilateral institutions are also restrictive both in terms of criteria for funds, the lengthy time span of decision-making, and sometimes the lack of in-depth knowledge of the Euro-Mediterranean region.

There is therefore a need for complementary sources of financial support to meet urgent needs such as:

- Urgent relief for human rights organisations or members of human rights organisations under pressure or attack
- Funds to support initiatives (meetings, missions, briefings) whose timing is crucial for their success.
- Funds to cover basic needs (staff, training, newsletters, stationary, etc) and activities of organisations and groups that work in countries where explicit support by foreign donors may endanger these organisations vis-à-vis their own authorities.
- Funds to build capacity of ongoing (often innovative) activities or the establishment of structures by individuals or organisations who
 - Have not yet gained mainstream donor recognition.
 - Do not have the capacity to maintain relations with donors.
 - Work with issues that may be perceived too sensitive to receive support from the major donors.
 - Fall outside mainstream donor categories, such as human rights organisations in Diaspora.

This project aims directly to respond to these specific needs.

3. The Target Groups

Based on the recommendations of the DANIDA Feasibility Study (mentioned above), the Foundation is envisaged as a specific regional initiative that concerns human rights activists in the following Partner countries linked to the Euro-Mediterranean Partnership: Morocco, Algeria, Tunisia, Libya, Egypt, Lebanon, Jordan, Palestine and Israel¹³.

Initiated by the EMHRN, the project is seen as a specific contribution to the human rights dimension of the Barcelona Declaration and support of the United Declaration on Human Rights Defenders, adopted by the General Assembly in resolution 53/144 of December 9, 1998¹⁴.

¹² DANIDA, Feasibility Study of a Foundation for the Promotion and Protection of Human Rights in the Euro-Mediterranean Region. Final Report. Rule of Law Consulting. September 2002.

¹³ Projects with positive spill-over effects located outside the region may eventually be funded.

¹⁴ The United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

The Declaration of the United Nations on Human Rights Defenders contains an enumeration of the areas of intervention by human rights defenders. Based on this reference to 'all human rights and all fundamental freedoms' the following potential beneficiaries of the Foundation may be identified:

Defenders of human rights in their individual capacity, members of human rights associations, associations for women's rights, lawyers, journalists, judges, members of religious, ethnic and/or linguistic minorities, organisations for civic education and youths, associations working against different forms of discrimination, associations working against violence committed against women, members of organisations working for the rights of children, organisations working for the rehabilitation of torture victims, activists in the field of penal and prison reforms, associations for anti-corruption and good governance, activists around the theme of 'human rights and globalisation', and 'human rights and international trade', activists in the field of free and fair elections, organisations for the defence of migrants and refugees.

All these persons, associations and structures will be eligible for support from the Foundation provided that they fulfil the criteria and principles upon which the 'Code of Conduct' of the Foundation is based. There are other groups or organisations whose activities fall within the domain of promoting and protecting human rights, but who are ideally able to benefit from the support of specific international networks. These include:

Trade unionists, writers, members of parliament, environmental activists, activists for development (fight against poverty, urban rehabilitation, projects of rural integration, groups on income generating activities, etc) and activities in the area of health care and epidemics.

For this group of activists, their eligibility with the Foundation depends on a case by case assessment.

4. Methodology

Working closely with the EMHRN, the Foundation will be profiled as a risk-taking endeavour necessitated by the difficult conditions on the ground and the need to support a nascent civil society working under restrictive conditions.

The Foundation will build a reputation for quick, sound and thorough decision-making and funds will be dedicated to activities listed in Part 2.

These activities will fall into the following categories:

1. Urgent action support, the timing of which is crucial for an activity's success. Funding of these activities will require flexible and swift decisions based on the Foundation's knowledge of the region and its actors. This category may include support for:
 - Emergency relief.
 - Emerging organisations seeking to take advantage of a strategic occasion requiring a quick response.
 - Meeting and travel costs for preparatory meetings to larger urgent events, advocacy initiatives, joint fund raising activities, etc.
 - Temporary operating and staffing costs for NGOs, including office rent and mobile phone costs, translation of briefs and letters, etc.
2. The other category of support will concern:
 - Training, such as in organisational management, administration skills, project formulation and management, strategic planning, advocacy, media strategy etc, and more substantive courses on human rights and related subjects such as refugee law.

- Providing legal advice.
- Supporting the publication of periodicals, web sites, investigations, etc.

The Foundation will accord sustained priority to

- Associations that are tolerated but have no official recognition or registration by the State in which they are located, and who are therefore prevented from accessing most sources of financing.
- Associations that have been forced into exile due to State bans on independent associations and institutions as in some target countries.
- Associations or committees that promote the activities of local and/or national organisations that cannot function - or only function with great difficulty – in their countries of origin.
- Innovative activities that may emerge in various fields¹⁵.

Grants will be subject to a 40.000 Euro ceiling. The period of support should not exceed 12-18 months and will include an evaluation based on criteria to be established to ensure the effective and optimal utilisation of funds from the Foundation (see below).

Foundation funds will be granted using the following method:

Assessment: It will rapidly investigate the situation of the applicant including an assessment of the political situation, the human rights issue at stake and the optimal intervention given this context.

Strategy: It will consult rapidly and systematically with national, regional and international partners on the strategy for the intervention.

Intervention: It will mobilise the needed professional or voluntary assistance and initiate an intervention either by itself or in collaboration with local, regional and international partners preferably from the human rights community already active in the region, i.e in many cases EMHRN regular, associate and individual members. Where possible, a short-term intervention will be coupled with a long-term strategy.

Sustainability: A key aim for the intervention will be to ensure sustainability and a long-term perspective. This aim will be closely related to emphasising the establishment of reliable national, regional and international partnerships. The identification of possible synergies with key actors/partners, resource persons and possible donors for continued engagement will therefore be a main concern of Foundation interventions.

Mediation: The Foundation will engage actively in facilitating contacts with international donors for applicants where deemed to be better served by another funding agency.

Information: The Foundation will provide prospective applicants guidelines on its activities. The guidelines will describe the criteria for funding (which purpose, activities and human rights are supported), eligibility, format of applications, Foundation procedures for deciding on grant proposals, and the level of financing that can be expected.

Evaluation: Self-monitoring and evaluation by the Foundation will form an integral part of all interventions. Lessons learned from the evaluation process will be transformed into a 'toolbox'.

5. Governing principles of the Foundation

¹⁵ Such as the fight against corruption in favour of good governance, giving voice to women who are victims of violence, assistance to teenage mothers, protection of women who are threatened by "crimes of honour", activities within penitentiary systems, assistance to and rehabilitation of torture victims, actions for truth and justice in face of impunity, etc.

In a political environment where governments and influential pressure groups maintain a privileged access to and control of media, and where legislative bodies are not effectively separated from the executive branch, it becomes crucial for the Foundation to establish a credible public profile with its users and donors as a reliable and efficient agent. This implies a set of governing principles for the Foundation based on good governance, i.e. independence, impartiality, accountability, and representativeness.

A. 'Code of conduct'

The Foundation will refer explicitly to a number of instruments and documents that will serve both as legal and ethical guidelines for the Foundation and its beneficiaries. These instruments and documents for the 'Code of Conduct' are the following:

- Legal international and regional instruments relating to human rights and in particular the Universal Declaration of Human Rights, the two international Covenants on civil, political, economic, social and cultural rights; the United Nations conventions providing for monitoring mechanisms (Torture, Racial Discrimination, Discrimination Against Women, the Rights of the Child); and the conventions and norms of the ILO.
- The regional instruments and mechanisms
- The UN 'Declaration on the Protection of Human Rights Defenders'.
- The resolution of the United Nations establishing the mandate of the Special Representative of the Secretary General on Human Rights Defenders.
- Founding documents, guidelines and action plans of the Euro-Mediterranean Human Rights Network.

To the fundamental reference documents mentioned above, six other texts will be added:

- The Declaration of Paris and Plan of Action of the General Meeting of the Human Rights Defenders on December 10, 1998.
- The Programme of Action adopted by the "Forum 1998" meeting in Geneva on 28-30 August 1998.
- The conclusions and recommendations of the seminar on the Protection of Human Rights Defenders convened in Dakar by SIDH/ISHR on 11-13 October 1999.
- The resolution and recommendations from the Regional Conference of Human Rights Defenders convened by the "Arab Action Group for Human Rights" in Rabat, Morocco on 9-10 October 2000.
- The Declaration and the Principles and Norms Relating to the Freedom of Association in Arab countries, adopted by the seminar convened in Casablanca, Morocco on 5-7 October 2000 by the EMHRN, L'Association démocratique des Femmes du Maroc, l'Espace Associatif Marocain and l'Organisation Marocaine des Droits Humains.
- The conclusions of the seminar on 'l'Action pour la Défense des droits de l'Homme dans la région euro-méditerranéenne et les enjeux du financement', convened by the FIDH on 19-22 September 2001.

Finally, the Foundation will include a 'non-violence clause' that will exclude any person or association from Foundation financing that uses violence to advance political aims.

B. Organisation

The Foundation aims to:

1. Be independent of interference from any governments, organisations or individuals that would compromise its decisions.
2. Be impartial by abiding by the standards of non-discrimination as set out in the instruments listed above and by appointing members to the Board of Directors that are of impeccable moral standing.
3. Ensure comprehensive reporting of its activities to donors, beneficiaries and to the public at large. Accountability will furthermore be based on the transparency of the activities that receive Foundation funding.
4. Complement the activities of the EMHRN and other key agencies in the region.

In order to comply with the criteria above, ensure maximum synergy with the EMHRN, reduce set-up costs and costs of daily functioning, and for the convenience of servicing and funding activities, the Foundation will be domiciled in Denmark under Danish law¹⁶ and hosted by the EMHRN.

At the same time the Foundation will be established as an entity that is independent from the EMHRN. This independence is necessary since the key objectives of the Foundation might not coincide with the aim of the EMHRN General Assembly to promote the interests of its members and a potential for conflicting interests might arise by virtue of the fact that the Foundation will be mandated to work outside the membership of the EMHRN.

The Foundation will be registered under Danish law according to the Draft Statutes attached in annex 1 and will be constituted of:

1. A Board consisting of seven to nine members (providing representation that is broad enough to ensure democratic transparency while maintaining efficiency).
2. A Council of Representatives consisting of regular, associate and individual EMHRN members.
3. A Secretariat.

Ad. 1 The Board will be constituted of persons who are widely recognised in their field of work, and will not be employed by any public or private agency that might be seen to have other than a purely idealistic interest in the work of the Foundation. They will not otherwise in their private or professional lives have activities that would compromise their functions on the Board.

Four Board members will be residents in one of the EU countries and four members will be residents in one of the South Mediterranean Partner countries. One member will be a resident in Denmark.

The first Board will be elected for a four year term by the Council of Representatives upon nomination by the Executive Committee of the EMHRN.

Following the constituent meeting, the Board will establish its rules of procedure and fill vacancies at its own discretion upon meeting with the Council of Representatives.

The Board will be charged with all decisions on grants, and entrusted with the application and the upholding of the objectives and statutes of the Foundation, and with developing the criteria of the Foundation in the light of experience and needs.

Ad.2 The Council of Representatives will consist of regular, associate and individual EMHRN members and receive and discuss an activity report and budget as well as a program and budget for future action every two years on the occasion of the EMHRN general assembly.

¹⁶ Denmark has one of the least restrictive legal frameworks anywhere in the world for establishing non-profit organisations, while at the same time benefits from well-established regulations and traditions for accountability and transparency. There is no registration requirement and the organisation becomes a legal entity from time of signing the duly adopted statutes by a constituent assembly. Non-profit associations and foundations are generally exempted from taxation.

Ad. 3 The Secretariat will be hosted by the EMHRN and its headquarters will be located in Denmark. Sub offices may be established in other parts of the EuroMed region. The staff will receive and prepare applications for Board decision, follow-up to decisions, fulfil advisory and mediating services towards applicants, oversee grants and monitoring their implementation, as well as maintaining communications between Board members. The staff will be employed by the Board following consultation with the EMHRN Executive Director.

The Secretariat will rent administrative facilities from the EMHRN but otherwise keep completely separated operations, accounts, finances and authorising signatures.

7. Overall budgetary considerations

The Foundation will have an initial capital of 300.000 DKK / 40.000 Euro that will be raised among a large number of initial key donors (governmental and private) to ensure initial broad symbolic and political support for the project.

One third of running costs are expected to come from DANIDA in the first years of the Foundation work. The Foundation will develop a financing strategy and expects to receive support from a variety of governmental donors, private foundations, trade unions, private enterprises, etc.

The Foundation will work for the establishment of rigorous rules of internal control that will at the same time permit, whenever required, the maintenance of strict confidentiality regarding certain beneficiaries, in particular those that are exposed or vulnerable to political, legal or penal risks.

Project coordinators will regularly visit the beneficiaries *in situ* to discuss and evaluate the progress of the project.

Thus initial donors, regular donors and board members will receive complete confidential and audited narrative and financial reports, including evaluations and mission reports from the projects funded.

8. Avoiding the Risks of Duplication: International and Regional Initiatives for the Protection of Human Rights Defenders

There are today several programmes within international organisations that work for the protection, support and capacity building of human rights defenders:

- The International Observatory for the Protection of Human Rights Defenders (joint programme of the International Federation of Human Rights and the World Organisation Against Torture).
- The International Service for Human Rights – SIDH/ISHR in the area of protection.
- Front Line - The international foundation for the protection of human rights defenders.
- Lawyer's Committee for Human Rights that launched a special initiative for the protection of human rights defenders in the Middle East in 2001.
- The Scandinavian human rights foundations are also worth mentioning (KIOS in Finland, The Norwegian Human Rights Foundation, The Swedish Foundation for Human Rights).

Important as these organisations are, their activities in terms of material and financial support to human rights activists remain marginal, do not specifically target the Mediterranean region, or do not allow for funding of unconventional projects.

In all, the Foundation will carefully avoid any duplication with structures and programmes that already work for the political and legal protection of human rights defenders (several of the initiatives mentioned are carried out by members or close partners to the EMHRN)¹⁷. As far as possible, the Foundation will seek synergies with such other initiatives

¹⁷ Thus the Fund will not be mandated to intervene in the following areas:

- Urgent alerts
- Political and legal defence and solidarity
- Appeals and interventions with intergovernmental mechanisms of the United Nations and regional for a (Europe, EuroMed and Africa)

while upholding its specific mandate of material and financial support to defenders and their associations in the South and East of the Mediterranean.

9. Summarising: Assumptions, Sustainability and Risks

The Foundation is built on the assumption that access to flexible, rapid, small scale donor interventions is highly needed in the region and will significantly enhance the capacity of human rights activist to work in a difficult environment and thus contribute to the promotion of a human rights culture and the strengthening of a nascent civil society.

It is also built on the assumption that the Foundation will have direct access to the EMHRN membership, which will provide the Foundation with a unique and highly qualified source of knowledge and contacts to the human rights environment of the Euro-Mediterranean region and the opportunity to quickly obtain reliable and in-depth information needed for its operation, thus enhancing the quality and targeting of grants.

It will be the only agency with a distinct regional focus, thus permitting it to develop a specific public profile placing it potentially as a leading donor in its area. It will focus its interventions on a combination of support for capacity building and urgent initiatives of human rights defenders specifically in the Maghreb and Mashrek region. This constitutes a unique platform not covered by other known agencies.

The Foundation will take carefully calculated risks in extending modest funding to small and nascent organisations as well as to innovative and catalyst activities in the field of human rights and will provide quick and urgent decisions on requests for assistance.

Finally, the Foundation may, by reason of its proximity to such actors and organisations, be able to advise and mediate between activists and international donors in situations where the Foundation is not itself in a position to provide funding to an otherwise meritorious request.

Thus, the proposed Foundation will address a number of well-defined and largely unmet needs from the human rights community in the region, and will be able to place itself as a key donor and resource centre in the area.

The sustainability of the project will rest on the synergies created by mobilising broad networks in support of individual projects and collaboration with local, regional and international partners. It is expected that durable structures and strengthened capacity will be created and/ or maintained as an outcome of the project.

The risks are primarily linked to the reaction of various governments in the region that will seek to prohibit or hamper access of human rights activists and NGOs to Foundation support and may consider the Foundation as mechanism for 'subversive' and 'destabilizing' activities 'orchestrated' by foreign public or private agents. Thus, it is expected that the Foundation will be met with criticism. However, the combination of a transparent mode of functioning, the good reputation of the Board members, the broad initial support from donors and the widely recognised credibility of the EMHRN as a civil society partner to the EMP and well rooted in both the North and the South will allay suspicions and opposition in the medium and long term.

10. Establishment of the Foundation

The Foundation will be officially launched at the EMHRN General Assembly Meeting in Malta, December 2003 including approval of the first Board. Prior to the launch a summary of the project, the Statutes and proposals for Board members will be distributed to all regular, associate and individual EMHRN members.

Immediately after the election of the Board, job vacancies will be launched in the EMHRN news bulletin.

-
- Information and public awareness campaigns on infringements of human rights and those of its victims.

Before the establishment of the Foundation, the EMHRN will transfer the initial capital raised to the Foundation's bank account.

Annex 2:

STATUTES
of
**THE EURO-MEDITERRANEAN FOUNDATION
OF SUPPORT TO HUMAN RIGHTS DEFENDERS**

I. Name, domicile and purposes

1.

The name of the Foundation is the Euro-Mediterranean Foundation of Support to Human Rights Defenders.

2.

The home base and domicile of the Foundation is in the City of Copenhagen. The venue of the Foundation is Copenhagen.

3

The purposes of the Foundation are

- to support human rights in the Euro-Mediterranean region .
- to provide financial support to regional, national and local human rights NGOs (Non-Governmental Organisations) and institutes as well as individuals who promote, support, protect and monitor the observance of human rights in the Euro-Mediterranean region, in particular
 - Urgent relief of human rights organisations or members of human rights organisations under pressure or attack
 - Funds to support initiatives the timing of which is crucial for their success.
 - Funds to cover basic costs and activities of organisations and groups that work in countries where explicit support by foreign donors may endanger these vis-à-vis their own authorities.
 - Funds to support innovative projects
 - Funds to build capacity of ongoing (often innovative) activities or the setting up of structures by individuals or organisations who
 - Have not yet gained mainstream donor recognition.
 - Do not have the capacity to maintain relations with these.
 - Work with issues that may be perceived too sensitive to receive main donors' support.
 - Fall outside mainstream donor categories, such as South human rights organisations in diaspora working in support of human rights promotion and protection in their home country.

4.

The Foundation is founded by the Executive Committee of the Euro-Mediterranean Human Rights Network (EMHRN).

II. Foundation capital

5.

The basic capital of the Foundation is DKK 300,000 (40.000Euros) which is initially paid in cash by Danida and [other donors].

The Foundation's funds shall be invested in accordance with the statutory rules for the investment of foundation assets.

III. Foundation profit

6.

The annual income with addition of any amounts carried forward from the preceding financial year and deduction of administrative costs shall be distributed in accordance with Article 3.

The Board shall aim to ensure that the annual income with deductions as provided above is distributed not later than in the year following the financial year in which the income is received. The Board may, however, in consideration of the purpose stipulated in Article 3 allocate funds for distribution in a later year.

IV. Council of Representatives

7.

The Foundation shall have a Council of Representatives.

The Council of Representatives shall consist of:

- EMHRN Regular, Associate and Individual members.

The Council of Representatives shall meet once every second year to discuss the general code of practice for the Foundation's operations in accordance with its purposes. The meeting of Representatives shall be convened by the Board by not less than [14] weeks' notice, simultaneously sending the yearly report of the Foundation to each of the members of the Council of Representatives and publishing the report on the website of the Foundation.

Proposals which Representatives wish to be considered at a meeting shall be submitted to the Board not less than ten [10] weeks prior to the meeting of Representatives, who shall forward the proposals to all Representatives not later than [6] six weeks prior to the meeting of Representatives, together with all other material required for the transactions of the business on the agenda.

The annual meeting of the Council of Representatives shall have the following agenda:

1. Election of chairman of the meeting
1. Briefing of the Board's report on the Foundation's operations and activities in the past year for comments

2. Presentation of the audited annual report by the Representatives for comments, without the Representatives thereby assuming any legal liability
3. Submission by the Board of proposals for an action and activity plan as well as next year's budget for comments
4. Discussion of proposals received
5. Briefing of the Board's intended election of new Board members or new auditor
6. Discussion of possible alternative members of the Council of Representatives
7. Scheduling of time and place for the next meeting of Representatives
8. Any other business.

The role of the Council of Representatives is advisory to the Board.

V. Management

8.

The senior management of the Foundation is dealt with by the Board.

The Board consists of seven or nine members.

In case of retirement, the Board shall have power to elect new member(s) of the Board after consultation with the Council of Representatives.

9.

At least three out of seven or four out of nine members of the Board shall at all times be citizens of non-EU member countries in the Euro-Mediterranean region.

At least three out of seven or four out of nine members of the Board shall at all times be EU citizens resident in the EU.

At least one member of the Board shall at all times be resident in Denmark.

The chairman and a vice-chairman shall be elected by the Board from among its own number. The chairman may be elected among the non-EU citizens or among the EU citizens.

The members of the Board are elected for a term of four years. Retiring members are eligible for re-election.

If nine members of the Board are elected at the foundation, four members are elected for 2 years and five members for 4 years. If seven members are elected at the foundation, three members are elected for 2 years and four members for 4 years. The Board shall in later years make arrangements that approximately half of its members are up for election every 2 years.

10.

If a member of the Board retires within his or her term in office, the Board shall elect a new member for the remaining term, if possible after consultation with the Committee of Representatives. In the event that the chairman or the vice-

chairman retires before the end of his or her office, the Board shall elect a new chairman or vice-chairman from among its own number.

11.

Board meetings shall be convened by the chairman. Any member of the Board and the President of the Foundation may request a Board meeting. Board meetings shall, as far as possible, be convened by not less than [30] days' written notice accompanied by the agenda for the meeting. The Board shall meet regularly whenever necessary.

12.

The Board holds an annual meeting before the end of March every year with the following agenda:

1. Adoption of a report for the previous year
2. Adoption of the audited annual report for the previous year
3. Election of new members or re-election of previous members of the Board (in the years that election is on the agenda)
4. Discussion of possible reductions or enlargements of the Council of Representatives
5. Election of an auditor for the next year
6. Other business

13.

The Board forms a quorum when at least half of all members are present.

Resolutions made at Board meetings shall be passed by simple majority of the Board members present at the meeting. In case of equality of votes, the chairman shall have a casting vote.

The Board shall lay down its own rules of procedure.

14.

The business transacted at Board meetings shall be recorded in minutes to be signed by all members present at the meeting.

15.

The Board is entitled to appoint advisory committees for the performance of special tasks.

16.

The Board shall appoint an Executive Director, who will be in charge of the day-to-day management of the Foundation's operations upon hearing with the Executive Director of the EMHRN.

The Executive Director shall at all times be resident in Denmark.

17.

The Foundation may set up foreign branches, including special contractual institutions under Islamic law called *Wa'kf*, in the Euro-Mediterranean region to assist the Foundation in the realisation of its purposes.

Resolutions concerning the setting up or closing down of such branches shall be made by the Board, who shall also lay down guidelines for the organisation and operations of such branches. The foreign branches - or the *Wa'kfs* - may have venue in their home countries for matters relating to them.

18.

The Foundation shall be bound by the joint signatures of four Board members, or by the joint signatures of the Executive Director and a member of the Board.

The Board may grant power of procuration.

VI. Annual report and audit

19.

The financial year of the Foundation shall be the calendar year.

The initial financial year shall run from the establishment of the Foundation until 31 December 2004.

20.

The annual report shall be prepared for every financial year, consisting of balance sheet, profit and loss account and notes as well as management's report.

The Board shall set up a website for the Foundation on which the annual report may be published.

21.

The annual report of the Foundation shall be audited by a state-authorized public accountant appointed by the Board.

VII. Amendments to Statutes

22.

The Statutes may be amended if so decided by the Board of the Foundation by simple majority.

Amendments to the Foundation's purposes require adoption by at least 3/4 of all members of the Board.

The Board is by the majority of 3/4 of its members authorised to dissolve the Foundation, if such dissolution is deemed expedient and in accordance with the purpose of the Foundation.

23.

Amendments to the Statutes or dissolution of the Foundation shall be subject to approval by the Civilretsdirektoratet.

24.

In case of dissolution of the Foundation, the assets of the Foundation shall be distributed in accordance with the purposes of the Foundation.

Any remaining amount may be distributed to foundations or associations whose purposes are comparable to those of the Foundation and who are domiciled in the Euro-Mediterranean region.

The funds of the Foundation shall at no time - not even in case of dissolution of the Foundation - be repayable to the founder, and the funds may not be lend to the founder, either. The founder or others shall have no special advantages whatsoever.

25.

As adopted and signed at the founding meeting on [].

The Board:

[]
Chairman of the Board

[]
Vice-chairman

Annex 3:

POSITION PAPER ON EMHRN AND THE KURDISH PROBLEM

1. Introduction

It has been decided to establish within the European-Mediterranean Human Rights Network (EMHRN) a working group on the Kurdish issue, called the Kurdish Working Group (KWG). The purpose of this paper is to:

- give a background to the situation of the Kurdish people in the countries where they live, and a brief history of the Kurds,
- give an overview of the present situation of the Kurdish people, and the foreseeable development of their situation,
- describe the main human rights issues involved,
- discuss the human rights activities already being carried out by various institutions,
- propose a programme of work for EMHRN and in particular for the KWG,

2. Background and History

Before entering into a discussion on the role which EMHRN may play in trying to contribute to a solution of the Kurdish problem, it may be useful to briefly summarize the history of the Kurdish people.

It will not be necessary for this purpose to go back to the ancient history of the Kurds. It is sufficient to see the present situation of the Kurds in the light of their position during the rule of the Ottoman empire. The various national and ethnic communities in the Ottoman Empire had a considerable degree of what we today would describe as autonomy. The concept of the nation state was, however, emerging towards the end of Ottoman rule within many of the countries of the empire.

Also among the Kurds a sense of being a nation of their own was around that time gaining ground in all parts of Kurdistan. However, it is important to realize that the Kurds were a people where the clans and their chieftains constituted the main fabric of their society. To a considerable extent this is still the case. This background also helps us to understand many of the problems of Kurdistan. An example is the constant frictions between the two major clans in Southern Kurdistan (northern Iraq), led respectively by Barzani and Talibani.

A watershed in the history of the Middle East, including the fate of the Kurdish people, was the breaking up of the Ottoman empire, after World War I. Woodrow Wilson was applauded when he introduced the concept of the right to self determination for peoples and nations all over the world. This was intended to serve as a basis for the destinies of the various countries and peoples within the defunct Ottoman empire.

One element of this was the proposal that also the Kurdish people should be granted independence as a sovereign state, within determined borders, if this proved to be the will of the Kurdish people themselves. This principle was established in the Sèvres Treaty which the Sultan of Turkey was compelled to sign in 1920. However, after the Sultan had been deposed by Kemal Ataturk (as he came to be known), the Western states, tired of fighting, had to accept major revisions in a new treaty in Lausanne in 1923. With a stroke of the pen, the promises to the Kurdish people were forgotten.

Whilst numerous states, primarily former colonies have been granted independence since then based on the principle of the right to self-determination, the Kurdish nation remains divided between the four states, Iran, Iraq, Syria and Turkey. After the process of decolonization has been completed, the principle of self-determination has been largely forgotten, and the emphasis of states has been rather on the contrary principle of the respect of the unity of a state and its territorial integrity. Instead, focus has been placed on the rights of national or ethnic minorities. The legal contents of the

right to self-determination are very unclear in international law. The liberal school of legal academicians asserts that the right to self-determination exists at least if a state grossly neglects its obligation towards its national or ethnic minorities.

The Kurds today number about 30-35 million people (nobody knows exactly how many, and the four states where they live do not want to know or to make it public). One estimate as of 2002 (by professor Mehrdad R Izady), which may be on the high side, is:

| State: | Turkey | Iran | Iraq | Syria |
|---------------------------|--------|------|------|-------|
| Total population (mill.): | 65.9 | 73.9 | 22.6 | 17.2 |
| Kurds: | 19.0 | 8.4 | 5.6 | 1.6 |
| Kurds as a percentage: | 28.8 | 11.3 | 24.8 | 9.3 |

On this basis, the total Kurdish population in these four countries alone can be estimated at around 35 million. There is also a Kurdish minority in parts of former Soviet Union. In addition, there is a Kurdish Diaspora in Europe, North America and other parts of the world.

The Kurdish nation is the largest body of people who have not been able to achieve their aspiration of having their own independent state. The four states primarily involved are among the most repressive countries in the world. After the breaking up of the Ottoman empire, these countries have followed a policy of oppression and forced assimilation, in many cases based on a real or perceived fear of Kurdish "separatism". The western countries, who were the victors after World War I, have for many reasons not wished to encourage any change in the status quo. They do not wish to see the present balance in the Middle East being disturbed by a new independent state in the region.

A further problem which would arise in the case of any future attempt to create an independent or fully autonomous Kurdish state or region would be the potential conflicts with other peoples who also may have traditional claims on a given area. The situation in Southern Kurdistan (Northern Iraq), with its populations of Turkmens, Syriacs and Arabs, are just one example.

3. An Overview of the Present Situation and Possible Future Developments in Kurdistan

The history and background for the present situation of the Kurdish people have important bearings on the role which the EMHRN may play.

The Kurds do not have a common history as a nation. This is the result of having been split between four states for the last 80 years, and also a result of the structure of their societies, still in many places based on a clan culture. Some Kurdish societies are more "modern" and Westernized than others. There are consequently many different ideas among Kurds as to what their future aspirations should be. Some dream and some talk about a new independent Kurdistan, which would comprise Kurds in all four states. Others have the more "modest" aim to achieve some form of autonomy, while others again would be content if at least their culture, customs and language were respected in their state. Finally, some are today more or less assimilated in the majority culture in the state where they live.

Southern Kurdistan (northern Iraq) had after 1991 a form of autonomy which was close to de facto independence. The recent US led war on Iraq has brought dramatic changes to the country and the region. It may lead to even more dramatic changes in the future, about which we can today only speculate. The US and other major political players are very firm in assuring that an independent status will not be granted to the Kurdish area. On the other hand, any attempt by the US to reduce the degree of autonomy which the Iraqi Kurds have enjoyed, may lead to tension among the Kurdish population and continued instability. The US seems to look upon the Iraqi Kurds as an important group in the attempts to establish a new Iraqi regime.

The seemingly increased strength of the Kurds in northern Iraq has on the other hand led to a correspondingly increased fear among the regimes of Turkey, Iran and Syria, with respect to their own Kurdish population. They fear a development where the Kurdish areas in northern Iraq may gain a strong form of autonomy, which even could lead eventually to an

independent Kurdish state within the present borders of Iraq. The fear is that such a development may give inspiration to Kurdish nationalist aspirations in the other three countries. Even without a fully independent status, an autonomous Kurdish area within the new Iraq, possibly in the form of a federation, is also looked upon with fearsome eyes by Iran, Syria, and in particular by Turkey.

As mentioned above, the policy of the US and the other western nations is to discourage any development which could lead to an independent Kurdish state. For the foreseeable future it is therefore realistic to assume that the unrest and instability in the region, related to the Kurdish problem, can best be resolved by working for a situation where the rights of the Kurds as an ethnic minority are fully respected in law and in practice, in all four countries. Consequently, EMHRN and the EU should as a matter of principle be concerned with the situation of the Kurds in all parts of Kurdistan, not only within the countries which are part of the Euro-Mediterranean area (Turkey and Syria), but also within Iran and Iraq.

It would be a valuable contribution to EMHRN's activities on behalf of the Kurdish problems, to integrate human rights organizations of Arab countries in the WG who since the First International Conference of the Arab Human Rights Movement, Casablanca 23-25 April 1999, have played a pro-active role in supporting the rights of the Kurdish people. They represent people who are themselves suffering human rights violations, and a solidarity between Arab NGOs and the Kurds could have important political ramifications in this very troublesome region.

In Turkey, the possible accession to the EU, opens up unique perspectives for improvements in the political and human rights situation. This is further described below.

4. Present Kurdish Human Rights Issues

Below is given a brief description of the present human rights situation of the Kurds in the four above-mentioned states.

Generally, it may be said that the Kurds in all four countries are subject to many, persistent and severe human rights violations. These four countries are among the countries with the worst human rights records in the world. Some of the violations are inflicted upon the population irrespective of the ethnicity of the citizens; others are the result of a state policy to oppress the Kurdish population in particular. The background for these oppressive policies is primarily the perceived fear of Kurdish "separatism", as well as nationalism, xenophobia and policies such as Turkification, Arabization, etc.

a) Turkey

More than one half of the Kurds live in Turkey. The ideology of Kemal Ataturk which still permeates the political establishment has resulted in a severe forced assimilation policy and harsh oppression of those who resist Turkification, since the 1920s. This policy has repercussions in all areas, and has been strongly influenced by more than 15 years of PKK guerilla warfare. In the European Court of Human Rights, Turkey has by now been found guilty of serious and numerous violations of almost all substantive provisions of the Convention. The vast majority of the cases are a reflection of the Kurdish problem.

Some of the main areas of violations are:

- the destruction of villages and forced evacuation of the villagers from the Kurdish areas, and subsequent refusal to resettle in their home villages; this has affected about 3 million Kurds from about 3,000 villages,
- freedom of association, where pro-Kurdish political parties, human rights organizations etc., have been targeted, harassed, closed down, the premises searched, publications confiscated, and the leaders arrested, tortured, sentenced to prison and deprived of their right to serve as politicians in the future,
- freedom of speech, where the use of the Kurdish language is still in practice prohibited, both on TV, in the radio, newspapers, books and in music cassettes,
- arbitrary arrest and detention, wide-spread and severe torture, as well as systematic harassment by public authorities as a means of suppressing alleged "supporters of terrorism".

Turkey's application for membership has led to a large number of reforms in its laws. In some cases it is, however, two steps forward and one step backwards. For example, in the sixth reform package of laws, the notorious article 8 of the Anti-Terror Law, used to punish oppositional and critical views, has been replaced by a new article in the Penal Code, which in fact stiffens the sanctions for the same crimes.

However, even more significant and ominous is the fact, as the EU Commission has pointed out repeatedly, these reforms have not been implemented in practice. For example, the prosecutors continue to prosecute cases which are in blatant violations of the European Human Rights Convention, and the judges also fail to understand and act on the European human rights standards. Recent examples are:

- the case against German foundations,
- the offices of the Turkish Human Rights Association (IHD) were raided,
- the prosecutor attempts to close down the pro-Kurdish party DEHAP (the successor of HADEP) which was closed down by the courts,
- the retrial of Leyla Zana and the other DEP deputies, where an EU observer commented that it seemed to have the same defects as the trial in 1994, and where the prosecutor stated that the defense lawyer should not put questions to the witnesses!

These acts are so frequent and wide-spread that they must be interpreted as the result of a clear, systematic policy of continued repression. Many of the cases result in acquittals when they come to the courts, but the prosecutors continue to press on with charges without regard to the precedents of the national courts, not to mention the jurisprudence of the court in Strasbourg.

b) Syria

In addition to the normal pattern of oppression in all the four states where the Kurds live, the Kurds in Syria face a system of discrimination which is unique. This is the denial of the right of citizenship for a large number of the Kurds. This started in 1958 after the union of Egypt and Syria, implemented by the new Baath party. Up to around 300,000 Kurds (the exact number is unknown) are registered as "foreigners" or as "not found in the registries". As a result they are denied passports, cannot register marriages, or own land, etc.

c) Iraq

As mentioned above, the situation has dramatically changed with the US led war on Iraq. It remains speculation to envisage what the future will be for the Kurdish population of Iraq, and what impact this will have for the Kurdish people as a whole. An autonomous Kurdish region in a democratic Iraq, where respect for human rights prevails, will be seen as a beacon of hope for Kurds in the three neighbouring states. One could hope that this in the longer term could lead to an improvement in the human rights situation for the Kurds also in these states.

The political structures which will need to be built in the near future will determine at least the near future of Iraq and of the Kurdish region. Of immediate concern will also be the issue of the right of return of Kurds expelled by Saddam Hussein, and their compensation for losses incurred as a result of the expulsion.

d) Iran

Since Iran is not a part of the Barcelona process, it will not be necessary to give a detailed description of the human rights situation in that country as far as the Kurdish population is concerned.

As in Turkey, the perceived fear of Kurdish nationalism and separatism has resulted in a harsh and systematic oppression of Kurds who express ideas which are interpreted as "separatist". In certain periods there has been regular guerilla warfare between the government forces and Kurdish "peshmerga". While expression of Kurdish culture and language has been accepted to a larger extent in Iran than in Turkey, attempts to call for any form of autonomy in the Kurdish region are not tolerated. Freedom of association and of speech are as severely curtailed as in Turkey.

5. Human Rights Activities carried out by other NGOs

All major human rights organisations have been engaged in the situation of the Kurdish people, although primarily focused on the situation in Turkey and Iraq.

Among the most prominent international NGOs are:

- Amnesty International, which has a long record of monitoring, trial observations, country reports, appeals to governments concerned, etc, in all four states,
- Human Rights Watch, which also monitors and reports on the developments, primarily in Turkey and Iraq,
- Fédération Internationale des ligues des Droits de l'homme, which also is active in Turkey and Iraq,
- World Organisation against Torture (OMCT), which by its mandate focuses on torture.

In addition, there are various organisations and institutions, solidarity groups and individuals who focus exclusively on the Kurdish "problem", such as:

- the Kurdish Human Rights Project, based in London. It has with great success pioneered a large number of cases against Turkey before the Human Rights Court in Strasbourg. In addition, it monitors closely the developments of human rights in all four countries, although in more detail and more widely in Turkey than in the other countries.
- the Kurdish Institute in Paris also has great knowledge and a documentation base on Kurdish issues, primarily related to Turkey,
- the Washington Kurdish Institute, which is an efficient political lobby institution for the Kurdish cause.

In many countries there are various solidarity groups and individuals who are active campaigners for the rights of the Kurdish people.

Within Turkey there are also some NGOs which carry out important human rights activities, and in many cases at great personal risk for the persons involved. Among these organisations are:

- Human Rights Association (IHD), Ankara, with branch offices in many cities throughout Turkey, primarily in the Kurdish areas; among its important functions are assistance to victims of human rights violations, e.g. in bringing their cases to the courts, including the court in Strasbourg,
- Human Rights Foundations (TIHV), Ankara, with two main functions: (1) daily monitoring and reporting on human rights violations, and (2) operating centers for treatment of torture victims,
- Mazlum-Der, the Association of Human Rights and for the Defense of Oppressed People, a courageous and active defender of the human rights of the Kurds,
- Migration and Humanitarian Assistance Foundation (GIYAV), which focuses on the situation of victims of forced migration.

In Iran, Iraq and Syria, there are also some human rights organisations, but with fewer resources and greater difficulties in operating.

6. Programme of Work

There is a wide range of activities in which the EMHRN and the KWG could potentially be engaged. To a large extent this will depend on the resources available to the EMHRN. In the longer term such activities could include:

- issuing appeals to governments and institutions concerned about important, current human rights issues,
- organising conferences, seminars, work-shops, etc.,
- representing the EMHRN at political trials or other important events,
- representing the EMHRN in direct contact with officials of the countries within Kurdistan,

- representing the EMHRN in contact, meetings etc. with international organizations (e.g EU, OSCE, UN), as well as with relevant NGOs,
- publishing newsletters, etc.

However, in the initial phase, until more experience is gained and an adequate resource base has been secured, it would seem appropriate to limit the programme of work to a few tangible areas. Also, the KWG should not duplicate, but rather supplement, the activities of other NGOs active in the field.

The KWG should give priority to the situation in Turkey, not only because it has the largest number of Kurds, but also because there is reason to believe that developments in Turkey could have positive spill over effects on the Kurdish situation in the region. Also important is that the possible accession of Turkey to the EU creates a unique possibility of influencing positively on the human rights situation in that country.

To some extent, the situation in Syria should also be given attention, because Syria is a partner to the Barcelona process. In the longer term, it would be desirable that Iraq and Iran also be included as part of KWG's scope of work, on the basis that political stability in the region cannot be fully achieved until also the Kurdish problem has found a satisfactory solution.

Activities which could be implemented by the KWG in an initial phase may include:

a) Monitoring of the EU Accession Process for Turkey

The purpose would be to influence positively on the improvement of the human rights situation in Turkey, by monitoring the EU's work in the accession (and pre-accession) process relating to Turkey. The Copenhagen criteria are wide and general in nature. It is important to ensure that the law reforms required by the EU of Turkey will ensure full compliance with all relevant human rights instruments, and even more importantly that they are being fully implemented. There seems to be a lack of clearly spelled out requirements on the part of the EU Commission, leading to a corresponding vagueness in Turkey's response. On the other hand, EMHRN assumes that Turkey's possible entry into the EU would eventually improve vastly the human rights situation, simply by virtue of the dynamics of membership, even if full compliance is not achieved prior to Turkey's entry into the EU.

To achieve the maximum possible of compliance, the following are among the measures which will be contemplated:

- close cooperation with relevant human rights organisations, institutions and individuals, both in Turkey and elsewhere, to obtain the best possible information,
- similarly, access will be had to reports, magazines and newspapers, with information on human rights issues in Turkey,
- establish good contact and working relationship with relevant officials of the EU Commission, both in Brussels and in Turkey, and providing them with the most solid and updated information, particularly prior to important milestones in the accession process, e.g. the regular annual progress reports, the Accession Partnership documents and Turkey's National Work Program,
- analyse possible shortcomings in the EU Commission's comments and requirements in relation to Turkey's reform, and reporting thereon as required.

As a first step, the KWG will if possible arrange a meeting with EU Commission officials in Brussels as soon as possible.

b) Website

KWG will evaluate the feasibility of establishing a website within EMHRN. The main purpose of the website would be to compile different reports and documentation relating to the human rights situation in Turkey (possibly also to some extent in Syria, Iraq and Iran). KWG would also make available at the website its commentaries on such reports and documentation, as well as on its own work.

c) Human Rights Education Program

KWG will also evaluate the possibility of creating a human rights education program tailored to the needs of Kurdish people, similar to corresponding national HR awareness raising programs in Turkey, sponsored by the EU and the Council of Europe. This program would inform people of their rights, using the Kurdish language, and may involve local radio and television support.

d) Trial Monitoring

KWG will endeavour to arrange for trial monitoring, both to create a greater public profile, and to be present in the field.

e) Reporting on Public Harassment

One of the main problems in Turkey is the consistent use of prosecution of persons and organisations which express opposition to the regime, even in cases which evidently have no or only a spurious legal basis. The purpose is to stifle and harass the opposition. KWG will consider preparing a report on this, if possible supported with any statistics which may be available.

f) Literary Review

KWG may prepare a review of key literature on the Kurdish human rights situation.

Annex 4:

*Euro-Mediterranean Human Rights Network Publications
Les publications du Réseau euro-méditerranéen*

2003: **Migrant Workers in Israel: A contemporary Form of Slavery** (Michael Ellman and Smain Laacher) Report from a joint mission to Israel, investigating the situation of migrant workers. *(English, French, Arabic)*. Web: <http://www.euomedrights.net/english/emhrn-documents/country-reports/migrants.htm>

2003 : **Report on the integration of women's rights from the MENA into the Euro-Mediterranean Partnership.** (Rabéa Nasiri and Isis Nusair) The integration of womens rights into the Euro-Mediterranean Partnership : Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestine, Syria and Tunisia. *(English, French, Arabic)*. Web : <http://www.euomedrights.net/english/emhrn-documents/country-reports/Women%20report.htm>

2002: **The Human Rights Implications of the MEDA Programmes** (Charles Shamas and Iain Byrne) On the EU's financial assistance to its Mediterranean Partners and its effect on human rights. *(English, French, Arabic)*. Web: http://www.euomedrights.net/english/barcelona-process/civil_society/policy%20papers%20to%20the%20EMP/MEDArecom.htm

2002 : **Fifth General Assembly / Cinquième Assemblée Générale.** Report from the EMHRN 5th General Assembly in Athens, 14-15 June 2002 *(English, French, Arabic)*. Web: <http://www.euomedrights.net/english/emhrn-documents/GA/ga2002.htm>

2002, **Fourth General Assembly / Quatrième Assemblée Générale.** Report from the EMHRN 4th General Assembly in Carry Le Rouet, Marseille, 7-8 November, 2000. Published by the EMHRN. *(English, French, Arabic)*. Web: <http://www.euomedrights.net/english/emhrn-documents/GA/ga2000.htm>

2002, **Press Freedoms in Jordan.** Report by Sa'eda Kilani. Evaluating the status of the press and freedom of expression from 1998-2002. Published by the EMHRN. *(English and Arabic)*. Web: <http://www.euomedrights.net/english/emhrn-documents/country-reports/Jordan%20Press.htm>

2002, **Equal Access to Justice in the Euro-Mediterranean Region:** Report from the conference at the Faculty of Law, Uppsala University, 27-28 April 2001/ Un accès égal à la justice dans la région euro-méditerranéenne. Published by Uppsala University *(English, French, Arabic)*. Web: <http://www.euomedrights.net/english/emhrn-documents/country-reports/Justice.htm>

2001, **Freedom of Association in the Euro-Mediterranean Region/Liberté d'Association dans la Region Euro-Méditerranéenne.** The Casablanca declaration of October 2000 *(English, French, Arabic)*.

2001, **The F-Type Prison Crisis and the Repression of Human Rights Defenders in Turkey. Report from a fact-finding mission to Istanbul and Ankara on 5-11 May 2001 with Updates.** Published by the Euro-Mediterranean Human Rights Network (EMHRN), Kurdish Human Rights Project and the World Organisation Against Torture (OMCT) *(English)* web: http://www.euomedrights.net/english/emhrn-documents/country-reports/prisons_turkey.htm

2001, **Refugees also have Rights!/Les Réfugiés ont des droits aussi!.** Report on the situation of Palestinian Refugees in Lebanon and Jordan based on a mission of inquiry by Mohammed Tahri and Maria de Donato. Published by the Euro-Mediterranean Human Rights Network *(English, French and Arabic)*. Web: <http://www.euomedrights.net/english/emhrn-documents/country-reports/palrefugees.htm>

2001, **Rule of Law, Democracy and the Euro-Mediterranean Partnership/Etat de Droit, Démocratie et Partenariat Euro-Méditerranéen.** Report from the Human Rights workshops at the Civil Forum in Marseille, 10-12 November 2000. Published by the Euro-Mediterranean Human Rights Network and the International Federation for Human Rights *(English, French and Arabic)*.



2001, **Trial Observation: Freedom of expression, Freedom of association, and unfair trials in Tunisia.** Report on the trials of Dr Moncef Marzouki, Attorney Nejjib Hosni and the Tunisian League for Human Rights. Published jointly with the Kurdish Human Rights Project, the International Federation for Human Rights, the World Organisation against Torture, The Bar Human Rights Committee of England and Union Internationale des Avocats (*English only*).

http://www.euomedrights.net/english/emhrn-documents/country-reports/tunisia_unfairtrials.htm

2000, **Guide to Human Rights in the Barcelona Process /Guide sur les droits de l'Homme dans le Processus de Barcelone.** The ambition of the guide is to explain who is doing what and how within the Euro-Mediterranean Partnership. It describes the institutions and the procedures within the Partnership like the European Council, the Council of the European Union, the European Commission and the European Parliament. (*English, French, Arabic*).

Web: http://www.euomedrights.net/english/barcelona-process/civil_society/HR_activities/guide.htm

2000, **La réalité des prisons en Tunisie: "Nous n'avons pas le droit de nous taire".** Témoignage de Khémaïs Ksila, Vice-président de la Ligue tunisienne de défense des droits de l'Homme. Published in cooperation with the FIDH and the Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie (CRLDHT) (*French only*).

Web: http://www.euomedrights.net/francais/documents-remdh/rapport_pays/ksila_prisons_2000.htm

2000, **The Role of Human Rights in the EU's Mediterranean Policy: Setting Article 2 in Motion/ Le rôle des droits de l'Homme dans la politique méditerranéenne de l'UE: La mise en oeuvre de l'article 2** Report from the EMHRN seminar at the European Parliament on 9 November, 1999, where seventy human rights defenders, experts and parliamentarians were invited to reflect on how the human rights clause of the association agreements between the EU and its Mediterranean partners can be made operational (*English/French/Arabic*).Web:

http://www.euomedrights.net/english/barcelona-process/civil_society/HR_activities/article2.htm

2000, **The MEDA Democracy Programme/ Le Programme MEDA pour la Démocratie.** Recommendations by the Euro-Mediterranean Human Rights Network (EMHRN) to the European Commission, the European Parliament and the EU member states regarding the MEDA Democracy Programme, Mai 2000 (*English/French/Arabic*). Web:

http://www.euomedrights.net/english/barcelona-process/civil_society/policy%20papers%20to%20the%20EMP/MEDArecom.htm

2000, **Peace is not Difficult: Observing the Trial of Nazmi Gür, Secretary General of the Human Rights Association of Turkey (IHD).** Published jointly with the Kurdish Human Rights Project, the Bar Human Rights Committee of England and Wales, the Norwegian Bar Association, and the Danish Centre for Human Rights. (*English only*). Web: http://www.euomedrights.net/english/emhrn-documents/country-reports/nazmi_turkey.htm

2000, **Third general Assembly/ La troisième Assemblée Générale .** Report from the Third General Assembly of the Euro-Mediterranean Human Rights Network in Stuttgart, 13-14 April, 1999. (*English/French/Arabic*).Web:

<http://www.euomedrights.net/english/emhrn-documents/GA/ga1999.htm>

2000, **Barcelona +5: What Results for Human Rights?** Whitebook presented to the Euro-Mediterranean Ministerial Meeting in Marseille NOVEMBER 1999 - NOVEMBER 2000. Eight international NGOs assess five years of the Euro-Mediterranean Partnership with regards to the respect for Human Rights. (*English, French, Arabic*). Web:

http://www.euomedrights.net/english/barcelona-process/civil_society/HR_activities/whitebook.htm

PART 3

EMHRN ACTION PLAN

2004-2008

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1. INTRODUCTION

The Barcelona Process and the EMHRN: A Recent Regional Framework, a New Human Rights Approach.

a. The Barcelona Process

Eight years ago the governments of 27 countries (the Partners), and the European Union, agreed to establish the Euro-Mediterranean Partnership initiative (EMP) with the aim of creating a zone of peace, prosperity and stability in the Mediterranean region. They founded the EMP on the assumption that the way to achieve these goals was by means of economic development, increased political dialogue, social and cultural exchange and the building of democratic institutions, based on respect for human rights and a strong, independent civil society.

In Barcelona the Partners committed themselves to act in accordance with the United Nations Charter and the Universal Declaration of Human Rights. They agreed to develop the rule of law and democracy in their political systems and to respect human rights and fundamental freedoms including freedom of expression and freedom of association, and to combat racism, xenophobia and intolerance. Furthermore, they recognized the important role civil society can play in contributing to the Euro-Mediterranean development process by promoting better mutual understanding and closer co-operation between peoples.

Several intentions of the Barcelona Declaration were since made legally binding in bilateral Association Agreements between the EU and seven South Mediterranean partners¹⁸ Article 2 of which states that *the respect for human rights and democratic principles underlies their policies and is an essential element of the agreements*. Also the accession of Cyprus and Malta to the EU and pre-accession negotiations between the EU and Turkey are based on human rights criteria, i.e. the Copenhagen Criteria requesting that stability of institutions has been achieved guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities¹⁹.

b. The EMHRN

The EMHRN was established in January 1997 in response to the Barcelona Declaration and the establishment of the EMP upon the initiative of North and South based human rights organisations. Since then it has grown into a network of more than seventy members representing human rights organisations and institutions, as well as individuals, from over twenty countries in the region.

Its overall objective is to

- Support and publicize the universal principles of human rights in the Partner States and the whole of the Middle Eastern region as expressed by all international instruments on human rights and as expressed by the Barcelona Declaration of November 1995.
- Strengthen, assist and coordinate 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;
- Support the development of democratic institutions, the promotion of rule of law, human rights and human rights education in the Euro-Mediterranean region.

Since its establishment the EMHRN has built its activities on networking and organisational methodologies aimed at information and dissemination; dialogue and advocacy; capacity building and human rights education.

¹⁸ Algeria, Egypt, Jordan, Lebanon, Israel, Morocco, the PNA, and Tunisia. The 12th non-EU partner, Syria being still negotiating an agreement with the EU while Libya remains in the position of observer

¹⁹ Countries wishing to become members of the EU are expected not just to subscribe to the principles of democracy and the rule of law, but actually to put them into practice in daily life.

It has succeeded in creating broad credibility within civil society in the region as well as with representatives of the EU and EMP institutions and has established a strong profile in relation to the EuroMed human rights agenda while influencing human rights policies on a regional level.

On thematic issues the EMHRN published innovative reports and created regional synergies in members' work. A pool of experience now exists upon which to build future work.

Work on country level did also produce significant results in relation to promotion and protection of human rights although conducted on an ad hoc basis

The following Action Plan looks forward into the period ranging from 2004 to 2008. It describes the values upon which the EMHRN builds its activities and the human rights and socio-political environment of the Barcelona process. Finally, it outlines the main tracks of work and methodologies of the EMHRN in the next years to come.

The Plan of Action should be adopted by the AGM in Malta 5-7 December. Thereafter, under the responsibility of the Executive Committee, the EMHRN will draft a detailed program of activities aimed at implementing the Action Plan according to the Malta Assembly's recommendations.

2. VALUES

Networking and Cooperation, Promoting and Protecting Human Rights and Democratisation in the EuroMed Region

The EMHRN is a network of independent human rights organisations and institutions, as well as individuals, from all parts of the EuroMed region who adhere to universal human rights principles and are convinced in the value of cooperation and dialogue across, and within, national, cultural, social and economic borders. The EMHRN membership is genuinely committed to intercultural exchange and learning, building on dialogue and promotion of mutual understanding. It is committed to support joint actions at a variety of levels both thematically and geographically that touch upon the EuroMed region.

EMHRN membership is rooted in humanistic thinking, human rights values and human rights instruments as they spring from the international conventions and humanitarian law. It is rooted in democratic principles which comprises the promotion rule of law, good governance, gender equality, and the recognition that all human rights are universal, indivisible, and interdependent and interrelated, as it is expressed in the UN Universal Declaration of Human Rights of 1948 and reaffirmed in the Vienna Declaration and Programme of Action of 1993

The EMHRN seeks to promote a vibrant civil society in the Euro-Mediterranean region. Its constituency is rooted in NGOs, social movements and academia that adhere to democracy and transparency that have a real presence on the ground and are concerned with situations of injustice, discrimination and inequality.

The EMHRN is committed to pro-actively linking-up to the international human rights community and civil societies beyond the EMP framework in a broader regional European, Mediterranean, Arab, and Middle Eastern context.

3. HUMAN RIGHTS AND THE CONTEXT OF THE BARCELONA PROCESS

Building Opportunities for Human Rights and Democracy in a Conflict Ridden and Unequal Region

As mentioned above, the EMHRN was founded in the wake of the Barcelona Conference, November 1995, and the potentials thereby created for regional civil society cooperation, human rights and democracy promotion.

Events following Barcelona 1995 have challenged the assumptions upon which the EMHRN was founded and necessitate analysis in order to define future lines of action:

a. The problems

Thus, the human rights situation in the South of the Mediterranean has, with few exceptions, not improved since Barcelona 1995. In the eight years time span members of the EMHRN have continuously documented how in parts of the region governments erode press freedoms and use torture and extra-judicial executions; in several countries freedom of association is under attack or severely hampered and women's rights are denied; in some cases freedom of movement is arbitrarily restricted, and more generally it is systematically impeded.

The tragic events of September 11 2001 in New York have led to a reinforcement of the trends mentioned above. Regimes have seized the legitimate need to fight terrorism as an opportunity to emphasise order and security while the democratic space have been reduced and human rights restricted in line with the previous ratification by Arab states of the Arab Convention against Terrorism. Within the EMP dialogue on human rights remained on an inter-governmental level and key governmental players showed reluctance to involve civil society.

As such, human rights protection standards have been under attack in the wake of the 11th September. UN legitimacy has been challenged by the occupation of Iraq with the support of governments of present and future EMP countries. The Oslo process did not produce peace and sub-regional integration as hoped for but brought the regional, political dimension of the Barcelona process to a stalemate. The breakdown of the Palestine-Israeli peace process and the continued occupation of the West Bank and Gaza and concomitant gross violations of international human rights standards have led to the radicalisation of policies and to a dramatic spiral of lethal force used against the civilian populations. The incapacity of the EU and the EMP contribute pro-actively to stop occupation and violations of human rights and international humanitarian law deceived many who initially welcomed the Barcelona Declaration.

Thus the EMP has not yet developed according to the lines set out in Barcelona 1995. Hereditary monarchies or autocratic regimes still dominate political life, and government approaches to human rights remain governed by internal and external security considerations. The Arab region lags behind the major part of the world in terms of democracy, public liberties, women's participation in public life and production of knowledge (as shown by UNDP Arab Human Development Reports). Adding to this are neglects of religious and cultural minorities basic rights.

Furthermore, the scarcity of resources and increased economic inequality between the North and the South has become sources of social tensions.

Given the already widened development divide between the North Mediterranean countries and their Southern neighbours in political, economic and social terms, the current eastward expansion of the EU may further marginalize the South Mediterranean countries, and the EU's Eastern involvement and expansion may strain its commitment to the EuroMed Partnership. Thus, the latest EU policy papers on the Wider Europe see the Southern rim through the prism of a security zone rather than a region with a dynamic and a future of its own. In general the regional dimension of the EMP has low priority as compared to the bi-lateral dimension.

In this overall atmosphere, extremist, fundamentalist and inward looking nationalist movements are on the rise, displaying ambivalent attitudes towards democratic values and individual rights. Protection standards of refugees and the right to seek asylum have deteriorated. Racism and discrimination towards third country nationals has grown and found mainstream political support in support in political parties.

b. The possibilities

Nevertheless, the Barcelona process remains a relevant framework for Mediterranean cooperation and has shown that human rights, democratic principles and civil society possess a legitimacy that transcends the inter-governmental dimension of the Partnership.

Although civil society remains weak in the South as press freedoms, the freedom to form political parties, trade unions and NGOs are muzzled or hampered, human rights defenders have nevertheless placed possess a strategic position in society.

The defence and promotion of people's individual and collective dignity is at the heart of human rights promotion and protection and combines values related to equal access to justice and resources, non-discrimination, the respect of the individual by the state, conflict solution based on international law and human rights standards, and transparent and participatory decision making.

Before and since 1995, human rights activists have defended spaces for free debate and thinking, for opposition to totalitarianism and occupation, that place them in a key position to bridge between various social forces, including dialogue with various (often radical) social movements and thus a potential for bringing these into the orbit of democracy.

In support thereof, the EuroMed process has *de facto* become an important platform for civil society to meet, learn from one another, form joint projects and formulate recommendations and policies addressed at the governments. Civil societies have shown eagerness and willingness to meet and forge alliances across the region in a common quest to make the Euro-Mediterranean zone one of common prosperity, development and peace in the service of human beings.

In addition, the EMP has made noteworthy progress by establishing a number of mechanisms foreseen in the Barcelona Declaration. All non-EU Partners, except Syria, have now signed Association agreements with the EU and committed themselves to uphold human rights and democratic principles in internationally, legally binding agreements. Malta and South Cyprus have adopted the Copenhagen criteria and Turkey is bound by accession negotiations linking it committing it to abide by these in the medium or long term. Furthermore, the MEDA programs are managed on the basis of country strategy papers and national indicative programs. Taken together, there are far more instruments in place for human rights promotion than at the birth of the EMP and by extension a year later, the EMHRN.

This development has been accompanied by changes in the EU institutions' approach to human rights and democracy in the Mediterranean. The latest Communication on the human rights and democratisation by the Commission is promising and broadly adopts recommendations made by the human rights movement over the past years. Also the European Parliament continued to hold the human rights banner high in EU dealings with the Mediterranean.

In the future, the EMHRN will support the spaces created and carved out by human activists in the region and encourage the broadening of these by investing in the windows of opportunity created by the Barcelona process and beyond. It will do so with a high awareness of the need to rehabilitate international legitimacy following the changes induced in the region, and beyond, after 11th September and the US lead war against Iraq.

c. Future perspectives

The EMHRN will focus its future actions on the implementation of the broad range human rights instruments created since 1995. In this regard it will strengthen its focus on the crucial role played by individual EMP states in effective delivery of human rights agendas on the ground. As EU enlargement will result in a clearer 'division of spheres of interest' within the EU, the EMHRN will particularly focus on countries that have substantially more to say than others in Mediterranean affairs.

Thus, the EMHRN will in the future focus more on the bi-lateral levels of the EMP while building on its achievements vis-à-vis Brussels. It will do so by addressing and using systematically the mechanisms of the association agreements, and monitoring key governments' performance within the human rights field in coordination with local civil society.

The EMHRN has experienced an eager and interest of civil society and the human rights movement to invest itself in thematic work on a regional basis and to build networks of cooperation. It will seek to strengthen regional synergies by bringing people together in working groups and in joint projects while exploring how to strengthen civil society work in priority fields that remain uncovered. In this context it will strengthen its internal coordination work and deepen its organisational support structures in the South.

The two levels above will constitute EMHRN support structures for work at the national level, for the protection of human rights activists and their capacity to develop into key actors for democracy development. In this regard it will promote capacity building on issues relating to the EMP mechanisms, redress of injustice, discrimination and inequality.

4. CONCRETE STEPS AND METHODOLOGIES 2004-2008

a. Awareness raising and information

Following the analysis presented above one important dimension of EMHRN work will be awareness raising and information about the human rights situation related to EuroMed governments, institutions, NGOs and the public at large

The EMHRN will raise awareness about the human rights and democracy dimension of the EU and the Euro-Mediterranean Partnership and the international human rights standards and humanitarian law to which most governments of the region have adhered.

It will inform and raise awareness among governments, institutions and the public at large about the need for promoting and protecting human rights in the EuroMed region and beyond, including the need to restore international legitimacy.

It will inform about the pioneering work done by human rights defenders and about the key role they have in promoting democracy and in protecting the rights of the excluded and disadvantaged.

In support of awareness raising and information work the EMHRN will use the following general methodology:

Interface, annual report and media

It will continue developing its office in Brussels as an important interface between EMHRN members and the EU and EMP institutions: It will bring member reports and concerns to the EU and EMP and organise meetings between members and EU/EMP; inform members about the development of the EU and EMP opportunities offered for protection and promotion work within the field of human rights. The interface function will focus on particular key events such as Association Council and Committee meetings, working group meetings under the Association Agreements, preparation of country strategies and indicative programs, European Parliament hearings, visits of official delegations, etc.

The work of the interface, and of the EMHRN at large, will be facilitated by the development of a Media strategy.

Key activities of the EMHRN will be:

- The publication of biannual human rights reports evaluating EU and EMP compliance with their human rights commitments as compared to how the human rights situation develops in the region with a particular attention on countries that have a major saying in the EMP
- Initiating a support and advice group of human rights concerned media people
- Employ a coordinator in charge of external communication
- Further develop the EMHRN web site and a user friendly weekly news bulletin including press releases and briefs about the human rights situation in the region

b. Research, advocacy and dialogue

EMHRN research, advocacy and dialogue work is closely connected to awareness raising and information. In this regard the main focus of the EMHRN will be to bring life into the human rights instruments and mechanisms of the EU and EMP on a bi-lateral level, a regional level and beyond.

On a regional level the EMHRN will focus on monitoring and providing inputs to the recommendations the *EU Commission Communication on Reinvigorating Human Rights and Democracy in the Mediterranean* that to a large

extent echoes the inputs of the human rights movement during the past year. This includes elements such as promoting national human rights action plans; the systematically addressing human rights issues in bi-lateral relations; promoting the role of women; promoting human rights mainstreaming within the MEDA programs; and the systematic dialogue between the EMP institutions and with civil society. In addition the EMHRN will bring attention to perspectives offered by establishing a human rights committee within the framework of the Euro-Mediterranean Parliamentary Assembly and by anchoring the activities of the EuroMed Foundation on Dialogue between Cultures and Civilisation in human rights.

Implementation of human rights instruments and in-depth reporting

The EMHRN will continue maintaining relations with representatives of EU and EMP institutions and key players of the Barcelona process while developing particular attention to:

- Addressing the bi-lateral association councils, committees and related working groups
- Publishing the above mentioned bi-annual human rights assessment of the EU and the EMP including focus on key countries, governments and civil society in the Barcelona process
- Commission and publish in-depth research reports on uncovered fields that are crucial to the development of human rights in the EuroMed partnership. Particular fields identified are:
 - Justice
 - Economic and Social Rights
 - Migration and Refugee Issues
 - Minority rights

c. Capacity building and education

Information, awareness raising, advocacy and dialogue within the field of human rights and of democratisation are best built on solid knowledge, organisational structures and deep-rooted values.

The EMHRN will consolidate and strengthen initiatives aimed at promoting a human rights culture in the EuroMed region and support members' capacity to act within the framework of the EuroMed partnership.

Training, seminars and working groups

It will:

- Organise reflection seminars on key EuroMed human rights and democracy issues (such as Islam and Human Rights)
- Seek to enforce members' capacity to deal with, and strategise in relation to, major and sudden political changes (as were the 11th September and the War in Iraq) on the basis human rights and democratic perspectives by organising meetings for members and other key actors when important events occur
- Organise training and reflection workshops that springs from EMHRH priority fields, for example the human rights dimension of the EMP and its mechanisms; Legal advise and fair trial methodology; Economic and social rights; etc.
- Cooperate closely with the EuroMed Human Rights Foundation that, amongst other, aims at enforcing human rights defenders' organisational capacity
- Strengthen the capacity of members to work on key human rights issues by supporting the development of effective working groups, in particular on Freedom of association and the independence of civil society; Human rights education; Women's rights; Justice; Palestine; and the Kurdish question
- Promote human rights education as an integral and crosscutting activity among its members, in particular by supporting the agenda of the Human Rights Education Working Group

Web Site and Human Rights Education (HRE)

More specifically, within HRE the EMHRN will support:

- Publication and dissemination of the EMHRN HRE framework

- A focus on the relation between Islam and the West
- Publication of specialized education resources (photo packs, readers, issue based educational resources) linked to EMHRN priorities, in particular about the understandings of human rights within Islam and the West; and about issues related to EMHRN priority areas (such as Women taking action; The Kurdish question; Economic and social rights, etc.)
- Bi-annual Human Rights Summer Schools aimed at developing capacity and methodologies on HRE within the EMHRN membership with a focus on youth
- Further develop the EMHRN web site (see also above)
- Dialogue with governments on developing HRE curricula within the educational system, for example through national human rights action plans.

d. Networking, solidarity and promoting participation

Networking and participation are key elements in promoting solidarity, dialogues and synergies across borders in the EuroMed region.

Strengthening internal communication

The EMHRN will as a matter of priority proactively encourage the participation of women and young people in all its activities. It will also encourage the adherence of migrants and refugee organisations to the EMHRN.

It will actively support member organisations in taking the lead on EMHRN priority policy issues by drawing-up cooperation agreements establishing responsibility areas and allocating necessary resources for activities.

It will strengthen and deepen communication and networking between members by employing a coordinator for internal communication and by placing a secretariat staff member in a South-based member organisation.

One activity will be to actively promote bi-lateral and multi-lateral communication and proactively seek integration of different agendas within the EMHRN and giving priority to projects that are driven by members and where joint partnerships are sought.

By extension the EMHRN will put demands on the members that they comply with membership obligations by taking active part in the EMHRN and by informing members and executive bodies about the activities relevant for the EMHRN mission and mandate

A core activity of the Network will be to establish and support working group activity in the fields mentioned above while feasibility of developing working groups on the question of migration and refugees, on economic and social rights and on minority rights will be actively explored.

Protecting Human Rights Defenders

An integral part of the EMHRN mission will be to promote solidarity between members and mainstream protection of human rights defenders in its activities:

The EMHRN will provide specific support to members in countries where civil society is particular weak or under attack.

It will systematically send solidarity missions and trial monitoring teams when the human rights situation endangers members' and their work. In these cases it will seek to mobilise the international human rights community and inform the public about and to activate the instruments of the Barcelona process, i.e the bi-lateral association agreements, etc.

Networking

The Network will strengthen cooperation with the international human rights movement and pro-actively forge alliances with civil society on a human rights agenda in relation to EuroMed and Arab Civil Forums and the Mediterranean, European and Global Social Forums

Finally, it will proactively seek to establish and build effective links with human rights organizations in the new accession states and broader Middle East, in particular Iraq or states in transition towards democracy.

5. EMHRN NETWORK STRUCTURE AND IMPLEMENTING BODIES

Strengthening transparency and participation

In general the EMHRN will continue developing its internal democratic structures by holding a General Assembly every two years as well as regular Executive Committee meetings in-between the AGMs. The publication of internal reports will continue to be an integral part of EMHRN work including the issuing of internal newsletters and briefs.

The supreme decision making body of the EMHRN will be the General Assembly that will have the power to deliberate on all issues relating to the objectives of the Network. An important part of its mandate will be to adopt overall policies, strategies and action plans of the EMHRN.

Subject to the authority of the General Assembly and in between meetings of the General Assembly the Executive Committee will conduct the general policies of the Network in consultation with the members. The EMHRN will over the next period ensure that the EC members are provided necessary resources to pro-actively fulfil their mandate on a daily basis.

Main areas of activity will rest with working groups and lead agencies that aim at developing member capacity within EMHRN priority areas and at developing EMHRN agendas and bringing these further.

In general, thematic focused activities should be implemented under the responsibility of the member organisations dealing with the relevant issues when they have the backing and support of more than one member organisation in more than one country.

Finally, role of the Secretariat will be to facilitate the development of the Network. It will be responsible for the day-to-day delivery of the agenda of the Network in partnership with the member organisations. It will function as a support agency within the Network in the fields such as communication, translation, preparation for meeting and seminars, documentation etc., and will have responsibility for developing core communication needs within the Network, to the governments, institutions, academia and donors and the public at large.

By-laws presenting the organisational functioning of the EMHRN will be published when initiating the present action plan.