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## **INTRODUCTION**

On April 13-14, 1999, the Euro-Mediterranean Human Rights Network (EMHRN) gathered for its third general assembly. The meeting took place in Stuttgart on the occasion of the Summit of the Euro-Mediterranean Partnership (EMP), 15-16 April, 1999.

The overall objective of the EMHRN, established in January 1997, is to contribute to the protection and promotion of the human rights principles embodied in the Barcelona Declaration, and thus to the promotion of peace, stability, and the dignity and worth of the human person in the Euro-Mediterranean region.

In addition, the EMHRN aims at strengthening civil society participation in the Barcelona process and human rights work in the region through a synergetic process of mutual support, exchange of experience and knowledge between human rights organisations.

The main purpose of the meeting was to evaluate the work that had been done since the second general assembly in Copenhagen in December 1997, and to develop the EMHRN approach in its various fields of activities.

Most participants later went on to attend the Conference on Human Rights and Civil Society in the Mediterranean, which was organised parallel to the EMP Summit by the Friedrich Ebert Foundation in co-operation with the EMHRN and the Forum des Citoyens de la Méditerranée (FCM).

### **A short Summary of the Meeting**

The meeting, which took place in the shadow of the war in Kosovo, was opened by Klaus-Peter Murawski, Mayor of Stuttgart, who welcomed the EMHRN and highlighted the importance of the event for a multi-cultural city such as Stuttgart.

Mr Werner Lottje, Senior Consultant, Diakonisches Werk des EKD, then briefed the participants about the work of human rights organisations in Germany and underlined the importance of international solidarity in human rights work.

Finally, Mr Bennani, president of the EMHRN, welcomed the members to the general assembly and stressed the importance of the meeting, taking into consideration that this was the first occasion for the members to meet since December 1997, and considering the presence of the EMHRN in relation to the EMP Summit.

The first session was then opened by the approval of the general assembly secretariat, composed of Mr Bennani, Mr Driss El Yazami, Mr Morten Kjaerum and Ms. Eva Norstroem.



The first session was opened by Stefano Leszczynski, who summarised the annual report and welcomed new members to the general assembly (see the program in annex 2).

Morten Kjaerum presented the annual financial report<sup>1</sup> and characterised it as representing a new and young network. He added that a significant proportion of expenses was related to country issues and to making the position of the Network known, whilst a substantial amount had been lost due to the 1998 freezing of EU budget lines<sup>2</sup>.

After a rich discussion on the past activities of the Network, during which messages of solidarity were sent to Akin Birdal (Turkey), Moncef Marzouki (Tunisia), Mohammed Mesli and Ali Yahia Abdenour (Algeria) and Aktham Naiysse (Syria) the assembly proceeded to discuss the future activities of the EMHRN.

Marc Schade-Poulsen presented next year's program<sup>3</sup> and budget. Regarding the latter, it was remarked that the EMHRN is not in a position to implement new ideas and initiatives immediately, but it was stressed that funding constraints should not limit ideas and proposals during the debates.

The Annual Report of Activities and the financial report were approved by the general assembly<sup>4</sup>, which also welcomed new members of the Network (see the Annual Report of Activities).

Thereafter the assembly moved on to more detailed discussions of the various fields of priorities of the EMHRN based on the presentations given by Network members.

Mr Driss El Yazami developed the EC paper on the lobbying of the EMP mechanisms, and Mr Nazmi Gür opened the debate on freedom of expression and association with a comprehensive introduction to the situation in Turkey.

In the evening the participants gathered in the Landes pavillon in the centre of town, where they met with representatives of NGOs in Stuttgart and enjoyed a concert performed by a local Palestinian group.

On the second day, the first session on freedom of movement, racism and xenophobia was opened by Mourad Allal (FCM), who briefed the participants on the conclusions of the NGO Workshop on Migration held in The Hague on 19-20

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<sup>1</sup> In the absence of Khader Shkirat, treasurer of the EMHRN, who was prevented from participating in the meeting at the last moment due to visa problems.

<sup>2</sup> Morten Kjaerum also stressed that payment of membership fees was unacceptably low.

<sup>3</sup> In the absence of Bahey El Din Hassan, member of the Executive Committee, who was prevented from participating in the meeting due to sudden illness.

<sup>4</sup> 28 votes for, no votes against and no abstentions.



February 1999, in preparation of the expert meeting on this issue in the framework of the Euro-Mediterranean Partnership.

This session was followed by a discussion introduced by Raji Sourani, Palestinian Centre for Human Rights in Gaza, on the effects of the Middle East Peace Process on the human rights movement.

At this point a need was felt by the participants for time to work on specific issues. The assembly therefore decided to change the program and to meet in working groups.

These were established on women's rights, human rights education, freedom of expression, migration and refugees, capacity building, the protection of human rights defenders, Palestine, Algeria, and Kurdistan.

The working parties reported back to the assembly in the plenary session after lunch, which was opened by Mr Stefan Lütgenau, Bruno Kreisky Foundation, whose presentation was commented upon by Mr Wa'el Kheir, Foundation for Human and Humanitarian Rights.

After the presentation of the results of the working groups, the floor was opened for a general debate, during which Kamel Jendoubi presented an outline for the future organisation of the EMHRN's work and the general assembly adopted next year's program and budget presented by the Executive Committee.<sup>5</sup>

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This report presents a summary of the proceedings of the general assembly and includes the Annual Report of Activities and next year's program adopted by the general assembly. It does not attempt to follow the debates in chronological order. It is organised according to the themes that were discussed in Stuttgart with the aim of identifying the main indicators for the development of the EMHRN's future working program.

It is our view that the general assembly constituted an important step in the development of the EMHRN and we thank the participants for their constructive and positive contributions to the debates.

It is always easier to establish a network organisation than to develop it so that it works in an efficient and constructive way. We feel that the participants took up the challenge of strengthening the Network during an assembly which, in the event, became a "training course in networking" for all who were present.

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<sup>5</sup> 26 votes for, no votes against and no abstentions.

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We feel the participants agreed on the importance of the work of the EMHRN and that its establishment can “make a difference”. Great efforts are still needed to develop the promotion and protection of human rights in the Euro-Mediterranean region and the Network has an important role to play.

Finally, many thanks go to Werner Lottje, Rolf Graser, Adriane Boetcher, Christine Merkel and the Friedrich Ebert Foundation for their help in making it possible to hold the general assembly in Stuttgart. Many thanks also go to the interpreters for their professional and amicable services.

**The Executive Committee,  
January 2000.**



PART 1  
PROCEEDINGS OF THE  
THIRD GENERAL ASSEMBLY OF THE EMHRN



## 1. GENERAL RECOMMENDATIONS FOR THE FUTURE WORK OF THE EMHRN

The following pages summarise the main points addressed during the two first sessions of the general assembly.

The general assembly (GA) welcomed the EC reports (see the next chapters) on the past and future work of the EMHRN as good starting points for a debate on how to develop the Network. The EC was thanked for its achievements and admired for having carried out a range of activities with limited resources at its disposal. It was also congratulated upon the organisation of the events related to the Stuttgart Summit and for the policy paper presented on this occasion.<sup>6</sup>

The EU Commission's handling of the freezing of budget lines in 1998 was considered scandalous, since hundreds of NGOs had been taken hostage in a conflict which was not related to their work. In addition, it was noted that the EU Commission had denied funding to independent Tunisian NGOs following pressure from the Tunisian government, and it was stressed that the Network needs to take a stand on this issue.

Several speakers recommended that the EMHRN diversify funding sources in order not to depend too heavily on the EU. Some also worried that the EMHRN depends on funding from the EU whilst at the same time seeking to influence its policy on human rights.

On a critical note, it was remarked that the conference documents had not been translated into Arabic. In addition, the EC was asked to improve co-ordination of its activities with the members relating to Syria and Tunisia.

The EC was thanked for its work on Tunisia, but it was also underlined that human rights activists there work under great pressure. It was therefore recommended that the EC consult with the Tunisian League for Human Rights in particular when contacting the Tunisian authorities.

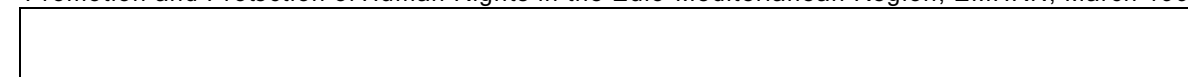
Concerning the case of Nizar Nayyoub, it was regretted that the CDF-Syria had not been consulted before letters had been forwarded to the Syrian government. At present, the CDF does not recommend public campaigns on Syria, nor the bringing up of individual cases.

However the main critical points raised during the debate concerned the past focus of the EMHRN and its activities.

Firstly, it was remarked that several EuroMed countries are not yet represented in the network and that the general assembly is unbalanced in relation to gender.

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<sup>6</sup> Promotion and Protection of Human Rights in the Euro-Mediterranean Region, EMHRN, March 1999.



In general, it was argued that the work of the EMHRN should be better balanced thematically, country and gender wise in order to increase its credibility.

**It was felt that the EMHRN should**

- pay more attention to women's rights and integrate women's issues into all its programs;
- increase the visibility of human rights education as a part of its work;
- concentrate more on the problems in the North, in particular on the rights of migrants and refugees. It was felt that the issue of migration could become a litmus test for co-operation between North and South, and for the Network's dialogue with South Mediterranean governments;
- develop its work on refugee issues, which was felt to be an area where member organisations could find ways to co-operate. It was argued that many persons are stuck in prisons or find themselves in very difficult positions and should be able to leave their countries. Those who manage to leave do not always meet with the respect they deserve. Organisations in the North should therefore listen to organisations in the South to improve their understanding of these issues, including monitoring how asylum procedures take place in the North;

**In relation to country issues it was argued that**

- dealing with the problems of the Kurds and the lack of a fair trial in the case of Ocalan would have improved the annual report of activities.
- the EMHRN should work more actively on Algeria, given the crimes committed against humanity in the country and its great number of victims and disappeared persons.
- although the situation in the Lebanon is not as tragic as in other countries, silence on Lebanon does not mean that grave human rights violations do not occur. It was underlined that the Lebanon is the only country in the Mediterranean that functions as the satellite of another country. More specifically, it was remarked that military courts have tremendous power and that the Judicial Council carries out political trials without possibilities for appeal. Cases of torture were cited, and finally the matter of military operations being carried out on Lebanese territory by Israel and Hezbollah at the expense of civilians.





- silence on Morocco in the reports was felt by some to be unacceptable. Reference was made to the Minister of the Interior denying the right to assembly in public buildings, and the lack of transparency in dealing with the reality of torture and forced disappearances.
- question should be raised on how to spread a culture of human rights in a country like Syria where the media is under total government control, and where human rights defenders are accused of political crimes and of threatening national sovereignty in the service of imperialism.
- the situation in Iraq should not be forgotten although it is not part of the Barcelona process. In this regard, human rights violations caused by the eight-year long embargo and by internal oppression were mentioned.

Finally, the war in Kosovo was the subject of several interventions during the proceedings. Several speakers felt that it was important to take a stand on the war in Kosovo even if it is not technically part of the EMP. It was argued that NATO's bypassing of the UN and declaring itself the guardian of international peace whilst bombing an independent country promotes a new world order that should be of concern to all, because similar situations could appear elsewhere. However, it was also argued that crimes were committed against humanity in Kosovo and that this fact should be taken into consideration as well. The general assembly did not arrive at a common stand on this issue.

The above mentioned led to the following **discussion on the general approach of the EMHRN to human rights issues in the EuroMed region:**

Some felt that the EMHRN was too ambitious and that it should focus on fact-finding missions and the observation of trials, while others felt that the Network's task goes well beyond the support of members of the Network and the publishing of reports.

Subsequently, it was remembered that in two years the EMHRN had succeeded in establishing a credibility of its own. However, this achievement should not conceal the fact that the Network had been established within the context of racism and war in the North, and at a time of growing disequilibrium between the North and the South regarding the development of democracy and standards of human rights. It was argued that these difficult circumstances could explain the impatience of the assembly towards expanding the work of the EMHRN both thematically and country wise.

Similarly, it was felt that discussions about which countries the EMHRN should give priority to are counterproductive. In order to avoid such debates, it was suggested that the EMHRN develops a working methodology from which a hierarchy of priorities can be established.



Several speakers stressed the need for the Network to develop a solid long-term strategy paper or a constitution specific to the Euro-Mediterranean region. The need was felt to define priorities and modes of co-operation between members and with other regional or international organisations.

It was argued that the strength and dynamism of the EMHRN depends on its ability to define its specificity.

Some argued that the EMHRN should be more present when the defence of human rights is called for and that members in these cases should join resources in actions of a more activist kind.

Others suggested that the Network should support and amplify activities initiated by the members in support of democracy and human rights, and bring these into a dialogue with the European Union.

In general, it was stressed that collaboration between members should be a key word for the Network, and that the whole idea at the outset had been that it is a participatory network and not a big organisation with a secretariat controlling everything.

Finally, the question was raised on **how to handle the growth of the EMHRN**. The establishing of national EuroMed Committees was suggested on the basis of the Helsinki Committee model. It was argued that such a structure would enable the Network to connect to national organisations, and that each national committee would be able to connect to one another through a EMHRN council consisting of one representative from each country.

In conclusion, the members of the EC applauded the members' feed-back on the reports. They agreed on the importance of improving co-ordination of activities with the members and underlined that major communication problems had been solved. They underlined that the most important work ahead consists of defining the specificity of Network. It was stressed that the EMHRN is not an organisation in itself but a network. It was suggested that priority should be given to quality over quantity and that prevalence should be given to countries, which have signed association agreements with the EU, since countries are not bound legally by the Barcelona Declaration but by association agreements. They regretted that human resources are still limited and felt it important to raise more funds as well as engaging in joint projects with the members and close co-operation with international NGOs.



## 2. CAPACITY BUILDING

The GA discussed capacity building on the basis of a plenary session presentation and a working group session.

Two avenues were identified. The first relates to the fact that the situation of Network members is very heterogeneous. In some countries civil society does not exist and basic requirements for capacity building can therefore be identified as providing a legal framework and sufficient funding to enable member organisations to work.

The second avenue relates to the role of the EMHRN. It was argued that the Network should work for an active distribution of information and skills among the members, and that a survey of the members' needs could be an appropriate tool for such work.

In general it was therefore suggested that the Network on one side tries to meet the basic needs of member organisations and on the other side goes ahead with the development of its infrastructure.

Several speakers argued that a network by definition is interactive and characterised by frequent and decentralised flows of information and contact between partners. In this regard, it was remembered that a network is only as good as its members and the tools it is able to provide for them.

It was recommended that the Network works to increase mutual understanding between the members and knowledge about each other's work. This did not only mean information coming from the secretariat, but also members informing other members and their contacting one another.

It was remembered that members are responsible for making the Network successful and the secretariat in Copenhagen was mainly seen as a clearing house which, rather than offering all services, should facilitate the flow of information and the coordination between the members.

In order to enhance direct contact between the members, establishing a home page was recommended which would be highly dependent on the inputs from member organisations.

It was felt that a home page would attract visitors from outside and could become a major information pool on human rights in the Mediterranean as a service for an interested public. In addition, it would give a clear sign of a frank and open policy which is not directed against any of the member countries.

Again it was stressed that a home page should only be considered a tool and that it is up to the members to increase the flow and the quality of information.



Finally, it was proposed that the Network launch an education and capacity building campaign for expert members and for selected, qualified individuals. The training program would consist of specialized training in one of the well-known human rights educational institutions, and would focus on special issues related to human rights and election monitoring missions in the Euro-Med region. Its purpose would be to enable experts to carry out international human rights monitoring and election monitoring missions within the Euro-Mediterranean region, and thus to establish a pool of highly qualified and motivated personnel in this specific field.

### **3. LOBBYING THE EURO-MEDITERRANEAN PARTNERSHIP**

The GA widely acknowledged the past achievements of the EMHRN in the field of lobbying. Several participants felt that lobbying of the EMP is the main task of the EMHRN. The fact that the Network lobbies as an association of independent organisations within the framework of the Euro-Mediterranean Partnership, while at the same time co-operating with other organisations, gives it a specificity of its own.

It was noted that many member organisations are also members of other regional or international organisations and several speakers recommended that the EMHRN strengthens its co-operation with these and improves co-ordination in order to reach a common platform for work on Mediterranean countries.

It was argued that a good deal of synergy had been reached in the past year, but that the EMHRN still needs to identify what had already been done in order to work in complementarity with other organisations. In this connection it was proposed that the EMHRN work on those five EMP countries which signed the explanatory memorandum to the human rights defenders declaration.

In general, the assembly agreed that a good deal of work can be done in the field of lobbying and that it should be expanded to the South. In this regard it recommended that the Network deals with issues that South governments could join in on vis-à-vis European governments.

Several suggestions were made as to where lobbying could be exerted: inter-parliamentarian fora, representatives of national parliaments, ambassadors of the EU member states in the South Mediterranean countries, representatives of the EU-delegations, ministerial meetings, committees and sub-committees under the EMP, and ministerial offices directly involved in influencing the EMP.

It was felt important to improve work in relation to the European Parliament in order to find innovative ways of making EU Parliamentarians act in a stronger and more concerted manner on human rights issues;

it was also argued that the members should identify people who support the network, who are open to influence and who should be marginalised.

More specific recommendations were that the EMHRN use the OSCE meeting in Istanbul in autumn this year as a lobbying opportunity, especially on the situation in Turkey, and that it should lobby for the EU Commission to have an appropriate budget at its disposition.

Most of the speakers agreed on the necessity of opening an office in Brussels in order to have a clear point of reference regarding contacts to the EU. In this connection, the FIDH invited the EMHRN to share space in its Brussels office. Several speakers also suggested that contact points should be established in each member organisation.

In general, it was recommended that the EMHRN should identify a methodology to be used in its lobbying activities according to thematic issues and target groups.

The need was felt to prioritise and to determine the Network's abilities with regard to feasibility. In short, it was recommended that the EMHRN establish guide-lines for its lobbying strategy based on an overall assessment of EU and EMP policies in the field of human rights.

#### **4. PROTECTION OF HUMAN RIGHTS DEFENDERS**

Specific discussions on protection of human rights defenders took place in the working group sessions.

The report of the working group made a distinction between Eastern Mediterranean and North Africa on the one side and the European countries on the other. No thorough discussion had taken place with regard to the latter, although it was stressed that the EMHRN ought to look into the issue of freedom of movement for human rights defenders and to recommend the EMP governments to facilitate asylum or the temporary protection of human rights activists when needed.

With respect to the East Mediterranean and North African region it was felt important to look more closely into the security approach taken by Arab governments in relation to the Arab Convention against Terrorism.

It was suggested that it is crucial for the Network to analyse the impact of this convention on human rights defenders and consequently, on the basis of collected information, to take action in order to strengthen direct protection of human rights defenders who are at odds with these governments.

Participants further considered the appropriateness of installing a division of labour between the Network and the Observatory for the Protection of Human Rights Defenders set-up jointly by the World Organisation against Torture and the FIDH.



It was argued that basic training of human rights defenders for preventative purposes like self protection could be based on work done in the past at the Forum 98-meeting in Geneva, and at the World Summit of Human Rights Defenders in Paris, December 1999.

In addition, it was proposed that a division of labour could consist in the Network doing the permanent monitoring of the situation in the East and South Mediterranean countries through information gathering and analysis while direct protection would be the mandate of the Observatory.

In conclusion, the assembly considered it to be crucial to share information and co-ordinate with partners in respect to the actions envisaged in this domain.

## **5. WOMEN'S RIGHTS**

The issue of women's rights was primarily dealt with in the two first sessions of the general assembly and in a working group session.

In general, the assembly felt that the EMHRN has an important role to play in empowering women to take full part in the development of their societies. However, several speakers also remarked upon a lack of sensitivity towards women's issues in the midst of the EMHRN.

It was noted that there is a strong male bias in the membership composition and that women's rights issues tend to be marginalised when human rights problems are considered. Several examples were provided on how women's issues were neglected during the deliberations of the general assembly.

Subsequently it was argued that the EMHRN should take women's issues into full consideration and develop a common understanding that women's problems are multi-sectoral and that they should be considered in each issue pertaining to human rights (such as migration, conflicts, etc.)

In general, the EMHRN was recommended to

- integrate gender awareness in its work and training in equal rights in all educational programs;
- work for an increased representation of women in the EMHRN;
- ensure gender parity in the composition of its delegations;
- establish a women's committee under the umbrella of the EMHRN;
- and avoid the discussion of women's issues being confined to women's

groups alone;

Finally, it was recommended to

- work towards establishing a survey of the situation of women in the various Euro-Mediterranean countries as regards health, access to employment, participation in public life, etc;
- lobby for an efficient program for the promotion of women's rights and education within the framework of the Euro-Mediterranean Partnership;
- work towards establishing a common EMHRN platform to ensure egalitarian legislation, which could be based on work already accomplished by Collectif 95 - Maghreb Egalité.

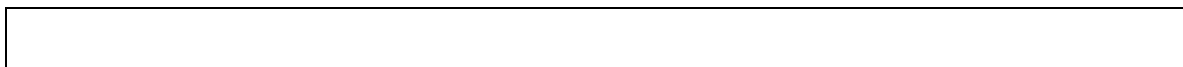
## **6. FREEDOM OF EXPRESSION AND ASSOCIATION**

The discussion on freedom of expression and of association was to a large extent based on a presentation on the situation in Turkey. In addition, a working party discussed the role of the EMHRN in relation to freedom of expression.

In the presentation on Turkey, it was underlined that the country has a constitution and institutions similar to the ones found in many democratic countries, such as a Parliament, together with judicial and governmental bodies. Nevertheless, there is a discrepancy between reality and appearance in Turkey, which makes it difficult to characterise it as a democratic country.

It was explained that freedom of thought and expression is under severe threat due to bureaucratic and legal restrictions. Although Turkey has adopted and ratified many international documents there are legal obstacles in the Turkish constitution which prevent the enjoyment of freedom of thought and expression. 152 laws and 703 provisions, in particular relating to anti-terrorist laws, restrict the freedom of opinion. Magazines, books and newspapers are confiscated and banned. Television and radio channels are closed down, and hundreds of people have been tried in freedom of expression cases.

During the presentation it was furthermore explained that freedom of thought and expression are denied with regard to the free choice of political parties and trade unions. Seven political parties with the Kurdish question on the agenda have recently



been closed down. Workers' rights are not fully recognised due to constitutional and legal obstacles, and a total of 15 members of human rights associations have been killed since 1990.

After the presentation, several speakers mentioned that the situation in other Mediterranean countries resembles the Turkish case and that violations take many forms. In extreme cases people are assassinated; in more subtle ways freedoms are curbed by the use of religion.

There was a general consensus that freedom of association and expression are fundamental rights which are crucial for the guaranteeing of other rights and for civil society participation in the development of the EMP.

It was argued that there is a difference between North and South in terms of freedoms and that the EMHRN should therefore act to establish a common basis in support of the implementation of international norms and standards in the Euro-Mediterranean region. In this respect, it was suggested that the EMHRN draws up an action plan in collaboration with members of the Network and international organisations.

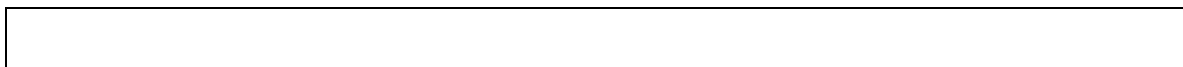
A proposal was also made to create a solidarity program for freedom of thought and freedom of association in the Mediterranean region with a focus on legal obstacles to the enjoyment of freedoms.

Several points were made in connection with freedom of association and expression. Some argued that not only laws hamper the work of NGOs but that associations are sometimes not received well by local communities because of an immaturity at a cultural and educational level.

Other felt that freedom of expression is not only a question of constitutions but also one of cultural tolerance, of moral issues and of religion and that these questions need more research.

It was argued that the right to dialogue and to disagree are important issues related to freedom of expression and that cultural and sociological transformation will follow legal transformations.

It was felt that freedom of expression and association is often not respected because states seek to protect territorial integrity, national security and public safety.





At the same time, it was stressed that it is imperative to stay away from politics on these issues in order to show governments that human rights groups are not tied by narrow political interests.

It was furthermore argued that the Network should draw a distinction between local and international levels of work as the situation differs from one country to another, and that local civil society groups should be mobilised before calling on the outside.

In general, it was felt that the role of the EMHRN is to amplify campaigns on a national level and to provide links to members who confront similar problems. It was suggested that while the EMHRN should keep freedom of expression and association as priority issues, it should take into consideration that at least freedom of expression is already being addressed by international organisations.

In short, it was felt important to identify priorities and problems and to involve specialised organisations in these issues.

Finally, the EMHRN was encouraged to keep to the idea of organising a seminar on freedom of association in Morocco in order to gather all civil society groups working on this issue in the Mediterranean and establish a common program.

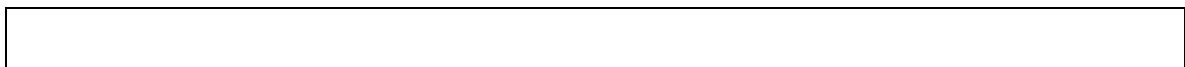
**The recommendations made by the working group on freedom of expression were as follows:**

The EMHRN should

- identify constitutional and legal structures that restrict freedom of expression and association in the region.
- strengthen EMHRN's expertise on freedom of expression by inviting journalists and international NGOs to collaborate with the Network.
- encourage local members to produce reports on press freedoms in countries where draft laws are being prepared.

**7. RACISM, MIGRATION, REFUGEES AND HUMAN EXCHANGE**

The discussion on racism, migration, refugees and human exchange was based on a presentation of the conclusions of The Hague Workshop (see the introduction). In addition, these issues were dealt with in a working party session.



In general, the GA welcomed the conclusions of the Hague Workshop. It noted the gap between the legal commitments of the EU countries at an international level and actual practice.

It feared that there is a danger of a break down of the Barcelona process because of the inherent contradiction between allowing free exchange of goods and restricting the movement of people from one country to another.

Several speakers expressed their concern about new developments in the EU countries giving rise to discrimination in the fields of economic, social and cultural rights. While the European states previously used visa restrictions and carrier sanctions to seal off Europe, they now lower social entitlements to asylum seekers in an attempt to downgrade the so-called social pull-factor, it was argued.

Some argued that racism in the North is the consequence of government policies. The readmission agreements between the EU and South Mediterranean countries were mentioned as an example of actions, which give priority to restrictions on immigration flows rather than to the protection of asylum seekers.

In general it was felt that the EMHRN should have a high profile on these issues and that it could prove to be a field for co-operation with the governments of the South.

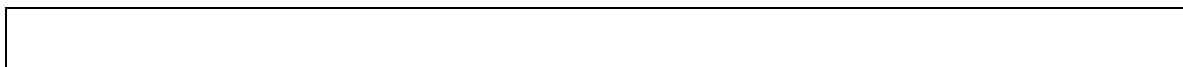
#### **Suggestions for how to advance the EMHRN further:**

It was argued that the EMHRN can have a role to play in relation to the fact that very few states have signed The Convention on Migrant Workers and their Families, and in relation to the 2001 World Conference on Racism. As regards the latter it was suggested that this could be an opportunity to revise two hundred year old concepts of racism by making a comparative study of the meaning of racism and intolerance in the North and in the South.

Several speakers argued that the EMHRN activities should emerge from the Barcelona Declaration and from international human rights standards on the basis of partnership with other organisations and Networks.

However, the general feeling was that the EMHRN should develop a specific agenda on these issues and define a program for action that can translate into action.

Among the issues mentioned were: the readmission agreements between EU countries and South Mediterranean states; freedom of movement including the deprivation of citizens of the South Mediterranean states of their passports by their governments; the protection of illegal migrants' basic rights; the protection of the right



of refugees and the question of non-refoulement of asylum seekers in South-South relations.

Finally, it was proposed that a permanent working group contributes to the follow-up on the Hague workshop and facilitates cooperation between organisations competent within the field of migration, xenophobia, etc.

**The working group's recommendations were that the EMHRN should**

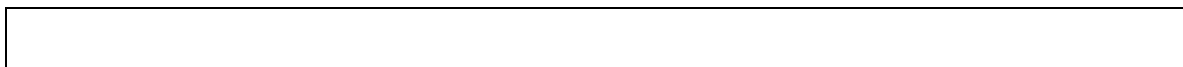
- develop a specificity and working proposals for actions covering migrant and refugee problems within the framework of the Hague recommendations;
- identify key issues related to migration and refugee protection in the South;
- focus on the deterioration of refugees' social and economic rights in the North;
- establish a survey on legislation, rules and practices that are prevalent in each country of the Partnership and organise a seminar within six months on this issue;
- establish a working group under the umbrella of the EMHRN;
- work for the adoption of March 21 as a Euro-Mediterranean anti-racism day.

## **8. HUMAN RIGHTS EDUCATION**

The general assembly deliberations on human rights education were primarily conducted in a working group session.

In general, it was felt that human rights education needs to be strengthened in the EMHRN program of activity. It was felt important that this becomes a fundamental, underlying principle and practice in the Network in order to create a general popular and public climate in which human rights legislation and human rights instruments have some chance of succeeding.

In this regard, it was underlined that human rights education should not be confined only to schools but also include non-formal education. It was also felt important to distinguish between target groups (for example primary school children as compared to teacher-trainers) and to focus on the link between principles and practice.



It was recommended that the EMHRN start collecting, auditing and surveying human rights education practice within the member organisations in order to ensure that human rights education principles are rooted in daily practice.

It was also felt that the Network could provide opportunities for mutual training of staff, since some organisations have considerable experience from which others could benefit. In this regard it was suggested that summer schools on human rights education could be organised periodically, bringing together not just members and NGO activists, but specifically educationalists, teachers, teacher-trainers, youth workers, and education staff within women's organisations to exchange experience, practice and methodologies.

In addition, it was suggested that the EMHRN establish a register of personnel qualified in human rights education and that the secretariat establish an educational section in the home pages of its web site, including an annotated guide to web sites on educational issues.

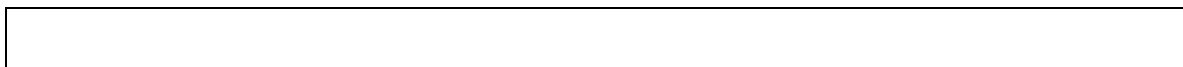
Finally, it was recommended that the EMHRN create a task group to audit the experience of human rights education within the membership of the Network and to develop a policy paper on education for discussion and endorsement by the assembly next year.

## **9. HUMAN RIGHTS IN CONFLICT SITUATIONS**

The issue of human rights in conflict situations was highlighted by a longer presentation on the human rights situation in Palestine, following the Oslo Accords, which was followed-up by a general discussion. Furthermore, several participants took the floor on the conflict in Algeria and in relation to the Kurdish issue. Finally, these major conflict situations were discussed in three working groups.

**Concerning Palestine**, it was noted that there is potential for an unprecedented development of civil society and rule of law, democracy and human rights. At the same time, a deep concern was expressed about the effects of the Oslo process.

Since the Oslo Accords, the human rights situation in Palestine has deteriorated except for the number of injuries and killings. Ethnic cleansing of East Jerusalem has increased; there has been an unprecedented scale of land confiscations; a total separation between Palestinian areas has been accelerated; the use of administrative detention has increased; and torture has been legalised by the Israeli High Court.



It was argued that the Oslo Accords has not led to confidence building measures between the parties. Rather, a de facto apartheid system has been installed, and major progress is therefore not expected in the wake of the Wye Agreement and Barak coming to power.

Five items were stressed in relation to the rule of the Palestinian Authorities: massive waves of arrest; restrictions on the freedom of expression and assembly; corruption; the militarisation of society; and the lack of respect for court decisions and of the work of the Palestinian Legislative Council. It was argued that these developments are caused by the extreme pressure exerted on the Palestinian Authorities by the US and Israel.

Therefore, it was argued that the EU and the international community should be encouraged to promote the rule of law, democracy and human rights in Palestine rather than neglecting these fundamental issues for the sake of security and the Peace Process.

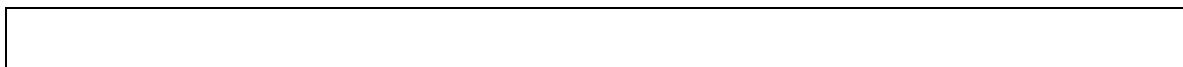
It was recommended to highlight the importance of the Fourth Geneva Convention Conference as the international humanitarian law governing the relation between the Palestinian people and Israel. The EMHRN was urged to take part in and to support the lobbying by Palestinian human rights groups for the convening of the conference on the Convention in July 1999 as a humanitarian approach to the Palestinian issue based on the respect for international law and principles.

**In relation to Algeria**, it was underlined that the tragic situation still prevails in the country. 120,000 Algerian citizens have died without reason, many being the victims of barbaric and cruel killings. Extra-judicial killings, people having their throats slit,

torture and abductions have caused the population to live in tears and blood, and the right to live has become the basic human rights issue.

It was explained that human rights NGOs in vain have tried to bring the world's attention to Algeria's problems through detailed reports on human rights violations. Files on disappeared persons have been submitted to the UN clearly showing that the abductions were perpetrated by the authorities. However, the NGOs had failed to bring about an investigation of the situation in Algeria by human rights monitors and UN special rapporteurs.

It was felt that the absence of pressure on the Algerian government, and the unsuccessful conclusion of EU and UN missions to Algeria, undermine the credibility of the Barcelona process.



In conclusion, it was argued that the victims of the conflict need international solidarity, and the EMHRN was asked to take a stand against the position of many European governments which, in spite of the tragic situation, have avoided addressing the daily violations of human rights for fear of breaking relations with the Algerian government.

**In relation to the Kurdish issue**, it was argued that the EMHRN should monitor all conflicts in the region. Several speakers described the human rights violations committed against the Kurds. It was mentioned that 15 million Kurds in Turkey do not have basic rights to use their culture and language, that 4 million people have been internally displaced, and that disappearances go on continuously.

Fear was expressed that a front between Turkey, Israel and the USA is emerging that could bring more violence to the area because of a wish to control strategic places and to protect national interests

It was argued that the Kurdish problem seems to be the most complex issue in the region, since it involves a total of four states, and that the Network should base its approach to the Kurdish issue on a human rights perspective, without which there would be no room for peace in the Middle East.

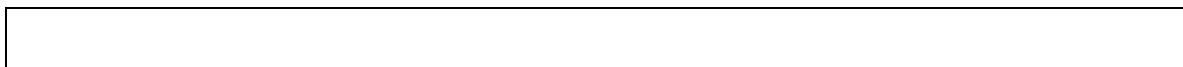
It was suggested that the EMHRN put pressure on Turkey through the UN, the EU and the European Council, either as a network or by way of individual organisations in the Network. In this respect, reference should be made to the principles of the Geneva Convention and other existing instruments.

In conclusion it was argued that the EMHRN has obligations in relation to the situation in Kurdistan and that it is important for the credibility of this Network to have a perspective on the Kurdish issue.

**In relation to the Peace Process** the assembly agreed that human rights principles were not respected in the context of the Oslo Accords. Therefore, it was recommended that the EMHRN support the campaign of Palestinian NGOs on the convening of the 4th Geneva Conference and that it sign the position paper of the Palestinian Centre for Human Rights.

It was also argued that the EMHRN should not neglect the fact that the Interim Accords had not been respected and that a role of the EMHRN could be to lobby the EU to suspend the Association Agreement with Israel because of its lack of respect for human rights in relation to Palestine.

It was also recommended that the Network become more involved in the defence of human rights defenders who are endangered by the Peace Process. Finally, it was



argued that the Network has a role to play in the reconstruction and consolidation of relationships of confidence in the area between the various human rights defenders.

**In general**, it was argued that the approach of the EMHRN to conflict resolution should not be political or ideological, and that the mandate of the EMHRN is to approach conflicts from a human rights perspective, i.e. that the question for the Network is not peace but peaceful solutions to conflicts based on a human rights approach.

It was suggested that it could be interesting for the network to examine the space for human rights within conflict situations. It was felt that some light had been shed on the role of human rights in conflict prevention as well as on the role and place of human rights in reconstruction when peace has been created or democracy has been installed.

More uncertainty was felt about the role of human rights during an armed conflict, and it was felt important to begin listing the different functions human rights defenders can have in such conflicts by using the experience of member organisations working in Kurdistan, Algeria, Israel and Palestine.

It was suggested that peace movements and human rights groups seek closer co-operation in this regard since they share the same preoccupations on how to work during conflicts.

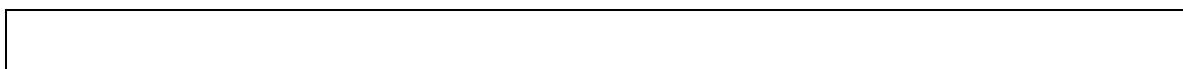
Finally, the need was stressed for the Network to consider the expertise of its members. It was recommended that the EMHRN work on strategic projects rather than doing the work that the members do. Furthermore, it was argued that the Network should not jump to any immediate conclusion on the issue of conflict, since no policy paper has been adopted yet. It was therefore recommended that the EMHRN initiate work on its strategy on conflicts from a human rights perspective within the framework of the Barcelona Declaration.

**The recommendations of the working groups were as follows:**

**On Palestine the EMHRN was recommended to**

support the campaign initiated by the Palestinian Centre for Human Rights on the Fourth Geneva protocol and sign the declaration which resulted from the symposium organised by Palestinian NGOs in Geneva;

work out a campaign to put pressure on all the decision-making centres in the European Community. In this connection it was recommended that the EMHRN establish a working group, supervised by the executive committee, one of whose



aims would be to contact regional and international organisations on human rights issues in Palestine, and to reflect on a procedure to lobby in Brussels for a suspension of the economic quote for Israel;

establish a report on Palestine/Israel which reflects the position of the Network on human rights in the area;

develop modalities for implementing article 2 of the association agreements;

**In relation to Algeria, it was recommended that the EMHRN**

create greater awareness about the Algerian situation;

organise a two day seminar on Algeria with writers, researchers and organisations working for peace in Algeria with the aim of making a general appraisal of the current situation;

lobby the European institutions in order to push efficiently for a solution to the Algerian conflict;

lobby the EU to send a mission to Algeria to inquire into the disappearances, extra-judicial executions and torture;

establish a working group on Algeria under the umbrella of the EMHRN

**In relation to Kurdistan it was recommended to**

prepare a study of the situation of the Kurds including the armed conflict in Turkey on the basis of a human rights perspective. The study should use the expertise of human rights organisations, as well as of peace organisations, with working experience from other conflict areas;

organise an international conference to discuss the outcome of the research and to discuss a possible action plan. The report on the outcome of the conference should be presented to the Euro-Mediterranean Partnership, the United Nations, to OSCE and to other relevant international institutions.

use the opportunity of the OSCE meeting in Turkey to approach the EU troika and express its concern about the grave violations of human rights and minorities rights of the Kurds especially in Turkey.

establish a working group on the Kurdish question under the umbrella of EMHRN.



## **ANNEX 1. LETTER FROM RACHID MESSLI TO THE GENERAL ASSEMBLY**

Dear friends.

I would like to take this opportunity of the General Assembly of this network in Stuttgart to send you my greetings and a great deal of encouragement.

Unfortunately, I cannot be with you today because I am in prison. I have been in prison since July 1997. The 10th of July when I left my office, I was seized by armed civilians who took me to a secret location where I was tortured and threatened with death.

It was not until later that I knew these people were police men.

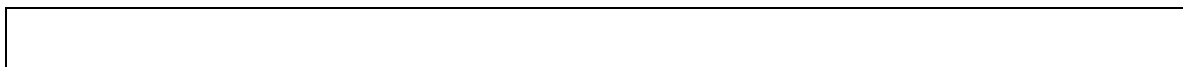
I was taken to court ten days later and the questions that were asked had to do with my activities as a human rights defender and my relationships with NGOs, in particular with Amnesty International.

I would like to recall that there are going to be elections in Algeria in April 1999 and that this is of great importance with respect to the protection of human rights in Algeria and also for the stability of the entire Mediterranean basin.

On the basis of this question you have to request that the Algerian candidates consider that their first and top priority in their program should be the respect of human rights and a definitive and urgent settlement of the files on involuntary disappearances. There are thousands of these.

Greetings,

Rachid Messli, Lawyer.



## **ANNEX 2. THE LIBYAN LEAGUE FOR HUMAN RIGHTS, MEMBERSHIP CRITERIA AND GENERAL ASSEMBLY PROCEDURES**

During the General Assembly, the Libyan League for Human Rights was adopted as full member of the EMHRN. However, the decision was later cancelled by the Executive Committee at its meeting in Paris, July 8-9, 1999. The explanation follows below.

During the first session of the General Assembly, the EC recommended in the Annual Report of Activities that the Libyan League for Human Rights become associate member of the EMHRN.

During the discussion of the annual report, the Libyan League protested against not being recommended as full member since Libya is a member of the Mediterranean family.

However, the General Assembly adopted the annual report in conclusion of the session and as such it confirmed the Libyan League's status as associate member.

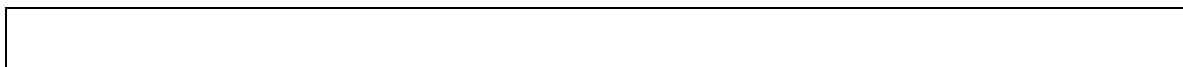
During the final session of the General Assembly, several speakers asked the assembly to reconsider the decision. It was argued that the human rights situation in Libya is serious and of concern to the whole Euro-Mediterranean region, and that the Libyan League should not pay for the political decision of the EU of not including Libya in the EMP.

Members of the Executive Committee explained that the statutes had to be changed before admitting the Libyan League as a full member because this membership category concerns national organisations based in member states of the EMP.

It was replied that the League is persecuted in its own country and in Arab countries and that the EMHRN should not deprive it of its right to work on an equal basis with the other members.

Thereafter, other members of the Executive Committee argued that the Libyan League is not responsible for the policy implemented in Libya and that the Network should not validate the situation prevailing there. It was argued that the assembly was sovereign and that it in this quality can redress previous mistakes.

This statement was followed by applause and the president of the Network asked if anyone objected to the proposal and thereafter declared the Libyan League full member of the network.

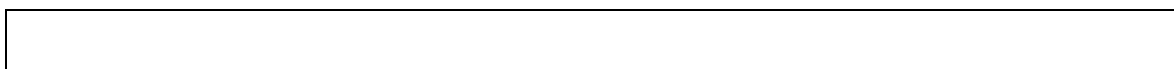


However, several participants contested the decision and the way it had been taken. Therefore, the Executive Committee reexamined the question at its meeting in Paris, July 8-9, 1999.

The EC agreed that the League does not qualify to become full member of the EMHRN since the statutes states that regular members should be *national* organisations located *in one of the 27 partner countries*. The Libyan League did not apply for membership as a national German organisation but as a Libyan national organisation.

The EC also concluded that the statutes were not respected during the procedures of the General Assembly. According to these, two-third of the regular members present at the general assembly should agree on introducing new items on the agenda, and a formal vote should be taken on the admission of the Libyan League as a full member. Neither of these formalities were respected.

It was therefore decided to announce to the members of the EMHRN that the EC postpones the decision of admitting the Libyan League as a full member until the next General Assembly, and that the executive director is given the mandate to propose amendments to the statutes that, if adopted by the next General Assembly, will allow the Libyan League to become full member of the EMHRN.



### **ANNEX 3. AGENDA FOR THE THIRD GENERAL ASSEMBLY OF THE EMHRN**

Tuesday 13 April 1999

9.00-9.30

Opening of the conference.

Speakers: Mr Klaus-Peter Murawski, Mayor, Stuttgart; Mr Abdelaziz Bennani, President of the EMHRN; and Mr Werner Lottje, Senior Consultant, Diakonisches Werk des EKD, Human Rights Desk.

9.30-10.30

Approval of the secretariat of the General Assembly. Presentation and discussion of the Annual Report of Activities and Annual Financial Report.

Speakers: Stefano Leszczynski, Italian Helsinki Committee, Vice President of the EMHRN; and Morten Kjaerum, The Danish Centre for Human Rights, member of the Executive Committee of the EMHRN.

10.30-10.45 Coffee break.

10.45-12.00

Presentation and discussion of the Annual Report of Activities and annual financial report - discussion continued and vote.

12.00-13.30 Lunch.

13.00-14.30

Presentation and general discussion of next year s program and budget.

Speaker: Marc Schade-Poulsen, Executive director, EMHRN.

14.30-14.45 Coffee break.

14.45- 16.15

Future activities: Lobbying the Euro-Mediterranean Partnership.

Presentation: Driss El Yazami, The French League for Human Rights, member of the Executive Committee of the EMHRN.

Rapporteur: Joe Stork, Human Rights Watch.

16.15- 17.30:

Future activities: Freedom of expression and of association.

Presentation: Nazmi Gür, Human Rights Association, Turkey.

Rapporteur: Sa'eda Kilani, Writer.

17.30-18.30: Press Conference.

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18.30-19.30: Dinner  
20.00: Cultural evening, Landes pavillon, Stuttgart.

### **Wednesday 14 April, 1999**

9.00- 10.15

Future activities: Freedom of movement, racism and xenophobia.  
Presentation: Mourad Allal, Forum des Citoyens de la Méditerranée.  
Rapporteur: Theocharis Papamargaris, Greek Committee for International democratic Solidarity.

10.15-10.30 Coffee break

10.30-11.45

Future activities: The Peace Process in the Middle East and the Human Rights Movement  
Presentation: Raji Sourani, Palestinian Centre for Human Rights.  
Rapporteur: Sara Guillet, FIDH.

11.45-13.00

Future activities: The protection of human rights defenders.  
Presentation: Kamel Jendoubi, Comité pour le respect des libertés et des droits de l'Homme en Tunisie.  
Rapporteur: Ahmad Hissou, CDF-Syria.

13.00-14.00 Lunch.

14.00-15.15

Future activities: Capacity building  
Presentation: Stefan Lütgenau, Bruno Kreisky Foundation for Human Rights.  
Comments: Mr Wa'el Kheir, Foundation for Human & Humanitarian Rights.  
Rapporteur: Eitan Felner, B'tselem.

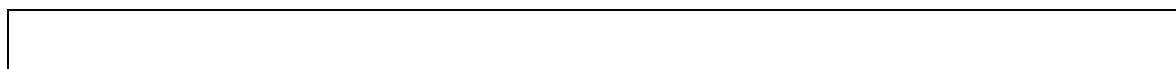
15.15-15.30 Coffee break

15.30- 17.30:

Final discussion and adoption of next year's program.  
General rapporteurs: Jan Jaap van Oosterzee, Euro-Arab dialogue from below; and Kerim Yildiz, Kurdish Human Rights Project

18.00:

Departure by bus to Holiday Inn for the Conference on Human Rights and Citizenship in the Mediterranean.



## **ANNEX 4. PARTICIPANTS AT THE THIRD GENERAL ASSEMBLY OF THE EMHRN**

### **EXECUTIVE COMMITTEE**

Mr ABDELAZIZ BENNANI, PRESIDENT, ORGANISATION MAROCAINE DES DROITS HUMAINS, PRESIDENT OF THE EMHRN.

Mr STEFANO LESZCZYNSKI, PROJECT DIRECTOR, ITALIAN HELSINKI COMMITTEE, VICE PRESIDENT OF THE EMHRN.

Mr DRISS EL YAZAMI, VICE PRESIDENT, LIGUE DES DROITS DE L' HOMME.

Mr MORTEN KJAERUM, DIRECTOR, DANISH CENTRE FOR HUMAN RIGHTS.

Ms EVA NORSTROEM, PRESIDENT, SWEDISH REFUGEE COUNCIL.

Mr KAMEL JENDOUBI, SPOKES PERSON, COMITE POUR LE RESPECT DES LIBERTES ET DES DROITS DE L HOMME EN TUNISIE.

### **NATIONAL MEMBERS**

Mr GHECHIR BOUDJEMA, PRESIDENT, LIGUE ALGERIENNE DES DROITS DE L'HOMME.

MR HOCINE ZEHOUANE, VICE PRESIDENT, LIGUE ALGERIENNE POUR LA DEFENSE DES DROITS DE HOMME.

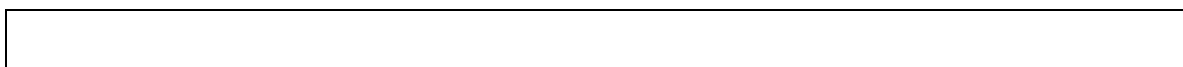
Mr MAHMOUD KHELILI, PRESIDENT, SYNDICAT NATIONAL DES AVOCATS ALGERIENS.

Mr STEFAN AUGUST LUTGENAU, PROGRAM COORDINATOR, BRUNO KREISKY FOUNDATION FOR HUMAN RIGHTS.

MR DJAMAL ZAHAF, SPOKES PERSON, JEUNESSE MAGHREBINE.

Mr ERIK ARNSTED, TREASURER, DANISH UNITED NATIONS ASSOCIATION.

Ms FARIBA PARSA, SPOKES PERSON, DANISH UNITED NATIONS ASSOCIATION.



Mr TUOMO MELASUO, RESARCH DIRECTOR, TAMPERE PEACE RESEARCH INSTITUTE.

Mr THEOCHARIS PAPAMARGARIS, PRESIDENT, GREEK COMMITEE FOR INTERNATIONAL DEMOCRATIC SOLIDARITY.

Mr COLM REGAN, COORDINATOR, 80:20 EDUCATING AND ACTING FOR A BETTER WORLD.

Mr EITAN FELNER, DIRECTOR, B T SELEM

Ms DANIELLA DI RADO, HEAD OF LEGAL DEPARTMENT, ITALIAN REFUGEE COUNCIL.

Mr CLAUDIO ZANGHI, PRESIDENT, INTERCENTER .

Mr HANI HOURANI, GENERAL DIRECTOR, AL URDUN AL JADID RESEARCH CENTRE.

Mr GEORGE ASSAF, DIRECTOR, INSTITUTE FOR HUMAN RIGHTS, BEIRUT BAR ASSOCIATION.

Mr WA'IL KHEIR, MANAGING DIRECTOR, FOUNDATION FOR HUMAN & HUMANITARIAN RIGHTS.

Ms LUCIENNE CURMI, RESEARCHER, MEDITERRANEAN ACADEMY OF DIPLOMATIC STUDIES.

Ms RACHIDA TAHIRI, SPOKES PERSON, ASSOCIATION DEMOCRATIQUE DES FEMMES DU MAROC.

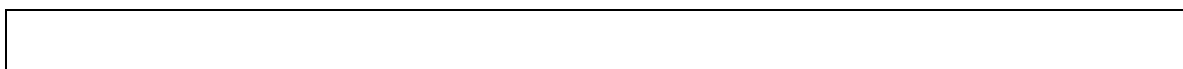
Mr KAMAL LAHBIB, EXECUTIVE COMMITTEE MEMBER, ESPACE ASSOCIATIF.

Mr RAJI SOURANI, DIRECTOR, PALESTINIAN CENTRE FOR HUMAN RIGHTS.

Mr AHMAD HISSOU, SPOKES PERSON, COMMITEES FOR THE DEFENCE OF DEMOCRATIC FREEDOMS AND HUMAN RIGHTS IN SYRIA.

Mr NASER AL-GHAZALI, PRESIDENT, DAMASCUS CENTER FOR CIVILIAN AND IDEOLOGICAL STUDIES.

Mr ABDELKERIM ALLAGUI, VICE PRESIDENT, LIGUE TUNISIENNE DES DROITS DE L'HOMME.



Mr NAZMI GUR, VICE SECRETARY GENERAL, HUMAN RIGHTS ASSOCIATION OF TURKEY.

Mr KERIM YELDIZ, EXECUTIVE DIRECTOR, KURDISH HUMAN RIGHT PROJECT.

## **REGIONAL ORGANISATIONS**

Mr AHMED KARAOU, EDUCATION EXPERT, INSTITUT ARABE DES DROITS DE L' HOMME.

Mr HUSSAIN SHABAN, PRESIDENT, ARAB ORGANISATION FOR HUMAN RIGHTS IN THE UK.

Mr SAID ESSOULAMI, DIRECTOR, CENTRE FOR MEDIA FREEDOM - MIDDLE EAST AND NORTH AFRICA.

Mr KHEMAIS CHAMMARI, EXPERT CONSULTANT, CENTRE MEDITERRANEEN DES DROITS DE L' HOMME.

Ms MALIKA HORCHANI, SPOKES PERSON, COLLECTIF 95 - MAGHREB EGALITE.

Mr MOURAD ALLAL, VICE PRESIDENT, FORUM DES CITOYENS DE LA MEDITERRANEE.

Mr SAID CHARCHIRA, PRESIDENT, FORUM DES MIGRANTS DE L'UE.

## **ASSOCIATE MEMBERS**

Ms BRIGITTE ERNST DE LA GRAETE, DIRECTOR, AMNESTY INTERNATIONAL, EU ASSOCIATION.

Mr JAN JAAP VAN OOSTERZEE, COORDINATOR, EURO ARAB DIALOGUE FROM BELOW.

Mr ANTOINE BERNARD, EXECUTIVE DIRECTOR, FIDH.

Ms SARA GUILLET, RESPONSIBLE FOR MEDITERRANEAN COUNTRIES, FIDH.

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Mr JOE STORK, ADVOCACY DIRECTOR, MIDDLE EAST/NORTH AFRICA  
HUMAN RIGHTS WATCH.

Mr ALI ZEIDAN, EXECUTIVE COMMITTEE MEMBER, LIBYAN LEAGUE FOR  
HUMAN RIGHTS.

**INDIVIDUAL MEMBERS**

Mr MADJID BENCHIKH, PROFESSOR OF LAW.

Ms. SA'EDA KILANI, WRITER.

**OBSERVERS**

Ms NATHALIA SMITH, ARTICLE 19.

Ms RINA ROSENBERG, DEVELOPMENT DIRECTOR, ADALAH.

Mr WERNER LOTTJE, SENIOR CONSULTANT, HUMAN RIGHTS DESK,  
DIAKONISCHES WERK DER EKD.

Mr MOHAMMED TAHRI, LAYWER.

**SECRETARIAT**

Mr MARC SCHADE-POULSEN, EXECUTIVE DIRECTOR, EMHRN.

Ms MARIT FLOE JOERGENSEN, ASSISTANT, EMHRN.



**PART 2**  
ANNUAL REPORT OF ACTIVITIES 1998



## INTRODUCTION

In December 1997, 40 members of the Euro-Mediterranean Human Rights Network (EMHRN/the Network) gathered for the second General Assembly in Copenhagen: They adopted the Statutes and Plan of Action of the Network, and elected the Executive Committee (EC). They agreed that the main purpose of the Network is to:

1. support and publicise the universal principles of human rights as expressed by all international instruments on human rights and by the Barcelona Declaration, signed by the governments of the 15 states of the European Union and 12 Southern Mediterranean states and territories (the "Partner States") in November 1995 in Barcelona;
2. strengthen, assist and coordinate the efforts of its members to monitor the Partner States' compliance with the principles of the Barcelona Declaration in the field of human rights and humanitarian concerns;
3. support the development of democratic institutions, the promotion of the rule of law, human rights and human rights education in the Euro-Mediterranean region.

They furthermore agreed that the EMHRN should respect the individual activities and needs of the members; be flexible and give particular attention to organisations deprived of basic elements to carry out their activities; build on existing projects and initiatives in the region rather than duplicate these; and facilitate and enhance the work of its members without becoming a new regional organisation in itself.

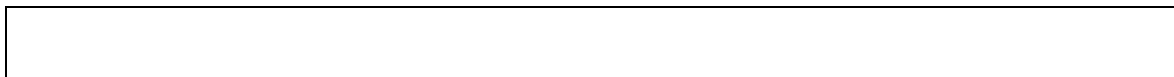
The General Assembly also decided upon an organisational structure<sup>7</sup> and a work program as means of strengthening dialogue and synergy between members, and to consolidate the EMHRN as a credible human rights network vis-à-vis the Euro-Mediterranean Partnership (EMP).

This report covers the first year of activities of the EMHRN. More precisely, and because the third General Assembly was delayed, it covers the period from 1 January, 1998, to 1 March, 1999.

The Plan of Action states the priority issues of the EMHRN as: *freedom of opinion and expression, thought and conscience, and assembly and association, as well as the protection of refugees and the respect for human dignity, including freedom from racism, xenophobia and intolerance.*

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<sup>7</sup>Based on a General Assembly, an Executive Committee and a Secretariat



It outlines a work program consisting of three fields of activities:

1. documentation, information, and dissemination,
2. dialogue, lobbying, and campaigning, and
3. general education, capacity building and the protection of human rights defenders.

However, since activities related to the priority issues and the work program are closely interrelated it will not be possible to structure the report according to the headlines of the Plan of Action.

Instead, the report will describe:

1. The overall strategy of the EC in the past year, as well as the constraints it encountered in implementing its activities.
2. Activities in relation to country issues
3. Activities in relation to EMP mechanisms
4. New members
5. Various other activities.

In conclusion, it will wind up the threads by evaluating the activities of the Network in relation to the objectives set out in the Plan of Action.

## **1. OVERALL STRATEGY AND CONSTRAINTS**

The EMHRN Plan of Action stated in 1997 that “since the signing of the Declaration human rights conditions in the Euro-Mediterranean region have continuously given rise to grave concerns. For example, in parts of the region press freedom is eroded by governments, in other parts torture and extrajudicial executions are systematically practised. In several countries freedom of association is under attack or severely hampered, human rights defenders are intimidated or harassed, and women’s rights are denied. In some cases rights to movement are arbitrarily restricted, more generally they are systematically impeded. Protection standards for refugees and the right to seek asylum are in general insufficient, and racism and discrimination towards third country nationals are widespread”.



The overall situation can hardly be said to have improved in 1998 despite some positive developments, including releases of prisoners and the UN's adoption of the Human Rights Defenders Declaration in December 1998.

The crisis in the Middle East Peace process still hampers the work of human rights organisations as security issues have been used by governments to distract attention from human rights abuses and marginalise human rights activists. The signing of The Arab Convention against Terrorism by the members of the Arab League was a setback for the efforts to develop regional approaches to the fight against terrorism and political violence based on international human rights standards. The Strategy Document on the policy of the EU with regard to migration and asylum presented by the Austrian Presidency of the EU, 1 July 1998, was a step in the wrong direction concerning the safeguard of protection standards for asylum seekers and for migrants rights.

The work of the EMHRN has been shaped by the overall situation in the region, and it has been guided by the following considerations:

1. Particular attention should be given to new developments that might affect the whole region negatively.
2. Particular attention should be given to countries where human rights defenders are deprived of basic means to act.
3. Mechanisms should be developed to influence the EMP on human rights issues in collaboration with other human rights NGOs.
4. The EMHRN should act according to its means.

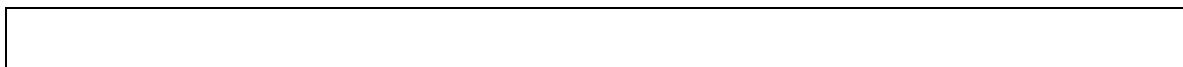
#### **EC Initiatives in 1998**

The first meeting of the EC took place in Copenhagen, April 3-4, 1998, following news that the Network's EU contract was due to be released shortly<sup>8</sup>. During the meeting, the EC gave shape to a one-year program of activities:

**Within the field of documentation, information and dissemination** it was decided to organise a three-days training seminar in Brussels on the human rights

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<sup>8</sup>In December 1997, the Steering Committee received indications from Brussels that the Commission was positive to an application from the EMHRN, and that formal decision would be taken in February. In early February the Commission informed the EMHRN that the first reading of proposals for 1998 activities was scheduled for mid-February and that the dates for the second reading were not yet fixed. In early March the Network was told that its application had been recommended for a second reading, due to take place in April. Finally, at a meeting on April 20 the Commission formally decided to grant the Network 472.111 ECU for its first year's activities.



dimension of the Barcelona process. In continuation hereof, the EC planned to invite European parliamentarians, international human rights NGOs and Network members to a workshop on how to make bilateral Association Agreements instrumental in protecting and promoting human rights (see below). Finally, it was decided to establish a EMHRN Web site and to develop the Newsletter format once an information officer was appointed.

**Within the field of dialogue, lobbying and campaigning** the EC agreed that future activities first and foremost should build on the conclusions of the two events in Brussels. It was furthermore suggested that the EMHRN be represented at key conferences on Euro-Mediterranean issues. Finally, it was decided that lobby and campaign activities should be developed on country issues in relation to the human rights clause of the bilateral association agreements. Ms Sa'eda Kilani was subsequently asked to participate in an initiative on press freedoms in Jordan. (see below).

**Within the field of general education, capacity building and the protection of human rights defenders** the EC welcomed two projects proposals. The first aimed at evaluating the outcome of human rights education in the region in order to develop new strategies<sup>9</sup>. The second aimed at assisting Mediterranean NGOs in their work related to UN's international treaty bodies in Geneva<sup>10</sup>. Both projects were felt to concord with the spirit of Network, i.e. to learn from one another and to collaborate under a common umbrella. Finally, the EC discussed how to develop a credible approach to the protection of human rights defenders. In the short term it was decided to act according to its means and to send a mission of inquiry to Tunisia for the appeal process of Mr Khemais Ksila, Vice President of the Tunisian League for Human Rights (see below).

### **The Freezing of EU Funds**

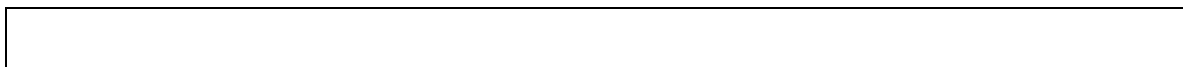
Two months after the Copenhagen meeting most above mentioned activities had to be postponed due to the freezing of EU funds:

On June 10, the Commission informed that it temporarily suspended funding for MEDA Democracy projects except for contracts, which were already in the pipeline. The suspension of the budget line followed the EU Court of Justice's judgement of May 12, concerning implementation without a legal basis of appropriations entered in the 1995 budget under the heading of measures to combat poverty and social

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<sup>9</sup>Developed by 80.20 Education and Acting for a Better World, Ireland, the Human Rights Centre in Essex and the Cairo Institute for Human Rights Studies.

<sup>10</sup>Proposed by the International Service of Human Rights, the Mediterranean Centre for Human Rights and the Danish Centre for Human Rights.



exclusion within the Union. The Court took the view that only insignificant measures could be put into effect without prior adoption of a legal basis.

The upshot was that the Commission decided to temporarily suspend a whole series of programs. In all, budget lines of an estimated 500 Million ECU were frozen by the Commission. These included programs to combat poverty and social exclusion, co-funding projects with NGOs in developing countries, programs to fight racism and xenophobia, and the EU programs to support human rights and democracy<sup>11</sup>.

On June 28, half of the EC members were able to meet in Paris to prepare a contingency plan for the EMHRN<sup>12</sup>. They decided to promptly start a campaign to urge the EU institutions to find an immediate solution to the problem of the suspended budget lines. Secondly, it was decided to give financial priority to the maintenance of the Secretariat and to postpone planned Network activities until funds were released by the EU. Thirdly, it was agreed to move on with low costs activities already decided upon while speeding up the work of diversifying funding sources.

On June 17, Kamel Jendoubi and Marc Schade-Poulsen had been in Strasbourg to inform the EU Parliament about the situation of the Network. On June 30, Abdelaziz Bennani and Marc Schade-Poulsen went to Brussels to meet Xavier Prats-Monné<sup>13</sup>, Brussels based NGOs and representatives of the permanent European delegations in Brussels.

In July, the secretariat forwarded press releases and letters to the international press, NGOs, EU representatives, and the Austrian Presidency, and urged the EU institutions to find a quick solution to the problem while recalling that the credibility of the EU was at stake. Several members of the Network took action on its behalf and forwarded letters of protest to the EU institutions. Subsequently the situation of the Network was raised at the meeting of Presidents of EU Parliament committees, June 19, at the meeting of the Maghreb delegation, June 30, and in preparatory EuroMed Council meetings.

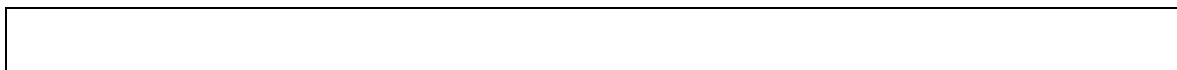
On June 23 representatives of Parliament, the Council Presidency and the Commission (the Trialogue) met to examine how to resolve the deadlock. On July 15, the European Commission took stock of the verification of budget lines without legal basis. The operation enabled the Commission to totally or partly unblock 75 budget lines out of some 100 temporarily suspended including the MEDA Democracy Program.

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<sup>11</sup>A proposal for establishing a legal base for human rights and democracy programmes has been pending since July 1997.

<sup>12</sup>The plan was subsequently approved by all EC members.

<sup>13</sup>Advisor on Mediterranean policies of former Vice President of the Commission, Manuel Marin.



By the end of July the Network was informed that its grant application had been re-forwarded to the budget department for a contract to be drawn up. However, it was not notified that the budgetary services of the General Directorate 1B were under reconstruction.

When the Commission staff resumed work after the August holidays, the secretariat succeeded in locating the person in charge of the EMHRN contract. It was informed that computers had not yet been installed in the offices of the new Common External Service and that 3 months of files had accumulated on her desk. Further inquiries revealed that the DGB1 expected the contract to be drawn up in mid-November.

Meanwhile, the second ordinary EC meeting took place in Cairo, October 9-10<sup>14</sup> where the EC resumed the discussions of the Copenhagen meeting. It decided to initiate preparations for the third General Assembly and to hold it in Stuttgart on the occasion of the EMP Summit in order to increase the visibility of the EMHRN, and to stress the need for strengthening the dialogue between civil society and the officials of the EMP.

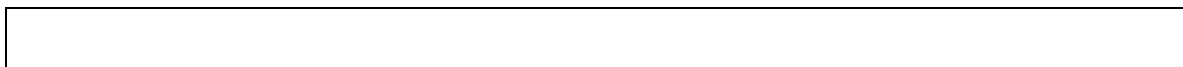
The EC also discussed how the Network should work on migration and refugee issues without duplicating the work of existing networks. The issue of the protection of human rights defenders was raised again with a specific concern for the situation of the Tunisian League for Human Rights. Finally, the EC agreed upon the overall structure of the annual report and established a time schedule for activities during the first half of 1999. The latter had to be altered again around New Year because of further delays in the EU funding.

The Network received the EU contract on February 4, 1999, with a letter kindly referring to our application of 22 September 1997. According to our information it is the first contract that was released for human rights projects since the Commission's decision to unblock funds in July 1998.

In conclusion, the EC's work has been seriously constrained by administrative problems and procedures within the EU. It has only been able to sustain activities in 1998 because of financial support from the Danish Ministry of Foreign Affairs to which we hereby express our gratitude. At the same time, several steps were taken to establish the EMHRN as a credible human rights network.

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<sup>14</sup>Khader Shkirat was not able to attend the meeting. At the last moment he was denied entry into Egypt by the authorities.





## 2. COUNTRY ACTIVITIES

In the past year the EMHRN has worked on issues related to Jordan, Egypt, Tunisia and Syria.

### Freedom of Expression in Jordan

In November 1997, Jordan signed an Association Agreement with the European Union within the framework of the Barcelona process.

With the signing of the Agreement, Jordan strengthened its commitment to uphold universal human rights, as it had done previously when ratifying the International Covenant on Civil and Political Rights. Article 2 of the Agreement states that all provisions of the agreement should be based on respect for democratic principles and fundamental human rights.

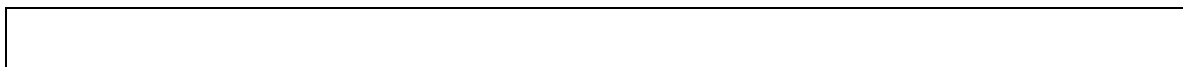
Despite its commitments, Jordan promulgated a new Press and Publications Law (PPL) on September 1, which grants the authorities broad powers over the press, limits journalists access to information, and restricts the activities of independent research institutes. The Jordanian Parliament's endorsement of the PPL followed a year during which Jordan had witnessed a steady deterioration of press freedoms.

The EC felt that the PPL enforces a general development towards deteriorating press freedoms in South Mediterranean countries and decided to take action on the PPL. Ms Sa'eda Kilani, individual member of the Network, was subsequently encouraged to write a report on the PPL and to take it to the European Parliament.

After Sa'eda Kilani had written a first draft in September, administrators of the European Parliament (EP) were invited to organise a seminar in the (EP) in cooperation with the Network and other human rights organisations.

At a preparatory meeting in October, the administrators explained that the seminar would most likely not be well attended by European Parliamentarians (MEPs). Instead they recommended that the EMHRN arranged meetings between Sa'eda Kilani and key MEPs in order to urge the latter to pass an urgent resolution at the December session.

Encouraged by these suggestions, the Network contacted several human rights organisations which had previously worked with Sa'eda Kilani and asked them to support her work. Three weeks followed with fruitful and constructive discussions between New York, London, Paris, Copenhagen and Amman, and in early November Sa'eda Kilani's final report was published by the Network with the support of ARTICLE 19; Centre for Media Freedom, Middle East and North Africa; the



Committee to Protect Journalists; the International Federation of Human Rights Leagues (F.I.D.H.); Human Rights Watch; and Reporters sans Frontières, the latter later translated the report into French.

The report documents how the law imposes a regime of censorship in Jordan, grants the government extensive control over independent newspapers, allows the closure of newspapers for a variety of broadly-worded infringements and restricts the work of foreign and local research institutes and centres. In the final paragraph Sa'eda Kilani and the supporting organisations offer a series of key concerns and recommendations, specifically the need for Jordanian authorities to revoke the law.

On 17-18 November Sa'eda Kilani and Marc Schade-Poulsen visited the European Parliament where Kilani gave a press conference and met with MEPs. The latter were urged to pass an urgent resolution on the PPL since the provisions of the law were about to be implemented<sup>15</sup>.

Shortly after the publication of the report the Network received a letter from the Jordanian Ministry of Information in which the Director General criticised the report for being unbalanced, for relying on one biased source, for challenging the Jordanian Parliaments authority, and for misquoting the law.

In conclusion, however, the Director General invited the supporting organisations to Jordan to assess the reality of the press sector.

In a joint reply the supporting organisations welcomed the invitation of the Jordanian government and repeated their deep concern about restrictions on freedom of expression while pointing to key features of the law being the reason for their concern.

A second letter was forwarded by the Network in which it assumed the full responsibility for supporting the report and point by point revoked the issues raised by the General Director. Both the letter of the Director General and of the Network were extensively quoted in the Jordanian press. They were subsequently forwarded to the European Parliament with an EMHRN proposal for an urgent resolution and a press dossier compiled by Sa'eda Kilani.

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<sup>15</sup> Meetings were arranged with Hadar Cars (V), Andre Soulier, (PPE), President of the Subcommittee on Human Rights; Magda Alvoet, EP rapporteur on Jordan, Mr Barros Moura (PSE), member of the Subcommittee on Human Rights, EP rapporteur on human rights, Ingo Friedrich (PPE), President of the Delegation for relations with the Machrek countries and the Gulf States, Jannis Sakellariou (PSE), member of the Committee on Foreign Affairs, Security and Defence Policy, Anna Terrón I Cusi (PSE) Vice president of the Delegation for relations with the Machrek countries and the Gulf States, Aline Pailler, member of the Bureau of GUE/NGL, Pierre Pradier (ARE), Hadar Cars and Kyrsti Virrankoski (ELDR)



In November, the MEPs were largely in favour of passing an urgent resolution on the PPL. However, despite intensive efforts especially by the Liberals and the Green Party groups, the motion on Jordan was not found urgent enough to be among the only five out of 28 proposed resolutions to be presented at the December session.

The lack of support was primarily due to the socialist group insisting on meeting with a Jordanian government representative before supporting any such resolution. The Radicals and the Left groups, initially supportive of the motion, decided to wait for the outcome of such a meeting. In Strasbourg the Socialist group met with the Jordanian ambassador in Brussels, who assured that Jordan intended to apply the press law in a lenient way and stressed that the government would not hesitate to propose amendments of the press law to the parliament if needed.

The Socialists discussed Jordan at a group meeting, deciding it was too early to pass a resolution since they felt a dialogue had been initiated between the Jordan Press and Publications Department and the signing organisations to the report.

However, the Network continued its lobbying efforts to have the motion on Jordan adopted for the January session and contacted human rights organisations based in Brussels to obtain support of its initiative. The Radicals, the Liberals and the Green Party were supportive. However, again the Christian-Democrats and the Socialists insisted that the time was not right for such a step due to the promises made by the Jordanian ambassador.

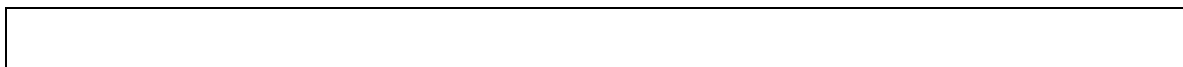
While we regret that a resolution on Jordan was not passed, we nevertheless feel that the EMHRN succeeded in raising awareness among European Parliamentarians of the deteriorating situation of press freedom in Jordan. We also believe that the Jordanian government has become cautious before taking any further steps.

The report and the exchange of letters between the Network and the Jordanian Ministry of Information produced headlines in Jordanian newspapers and the Jordanian government realised that there is international attention on the Law.

We thank the colleagues who supported the campaign. We feel that the initiative has been worthwhile and that the joint effort did have an impact in Jordan as well as in the European Parliament.

### **Freedom of Association in Egypt**

The EC has closely followed the attempts in Egypt to marginalise the human rights movement all the while the Egyptian government is preparing to sign an association agreement with the EU. A new Draft Law on Associations and Private Institutions



(LAPI) is pending which if endorsed will influence the work of human rights organisations in the south Mediterranean countries negatively.

On December 1, 1998, the Secretary-General of the Egyptian Organisation for Human Rights, Hafez Abu Sa'da, was arrested by the Egyptian authorities charged with three criminal offenses of :

1. dissemination abroad of false information harmful to Egypt's national interests;
2. accepting funds from a foreign country for the purpose of carrying out acts harmful to Egypt; and
3. receiving donations without obtaining permission from the Egyptians authorities.

The charges related to a report published in September of this year by EOHR on human rights violations in the village of Kosheh and the fact that EOHR received financial report from the human rights committee of the British Parliament.

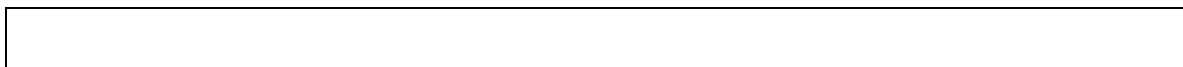
The EMHRN joined the international campaign for the release of Hafez Abu Saeda. On December 4, 1998 it published a press release expressing the Network's belief that any human rights organisations should have the possibility to monitor, document and freely disseminate information about violations in order to carry out its task as an independent organisation. We called for an immediate release of Hafez Abu Sa'da, and that all charges against him be dropped as well as against the EOHR lawyer, Mustafa Zeidan.

Furthermore, the EMHRN collaborated with the F.I.D.H. and the OMCT (World Organisation Against Torture), by appointing Bénédicte Chesnelong for a mission to Cairo to inquire into the conditions of the arrest of Hafez Abu Saeda. The report was published in January 1999 by F.I.D.H. sponsoring the mission.

In January, 1999, the Network consulted with its colleagues in Egypt concerning the Network sponsoring a follow-up mission to inquire into the pending trial against Hafez Abu Saeda (who was released on December 6, 1998).

The Egyptian organisations encouraged the EMHRN to attend EOHR's court hearing to obtain legal status on 7 February, and to inquire into the latest development of the APIL, as well as the pending trial against Hafez Abu Sa'ada.

As mentioned in the FIDH report of January 1999, the EOHR has, since its establishment, in vain attempted to obtain the Egyptian authorities' authorisation, required by law. As it has neither been expressly refused nor granted, the EOHR and its activities are tolerated, but at any moment the authorities can point to the absence of this authorisation. The EOHR had to bring administrative proceedings to get its



position determined. These proceedings were adjourned from one hearing to another until February 7, 1999 where the merits of the case would be considered.

Since Spring 1998 NGOs in Egypt have furthermore been under threat of the Draft LAPI to replace the Association Law no 32 of 1964 which imposes a strict state control on associations. The Draft Law was prepared in secrecy by the Ministry of Social Affairs and prohibits, amongst other, associations from carrying out any political activities falling under the laws governing political parties, or any activity that is political by nature.

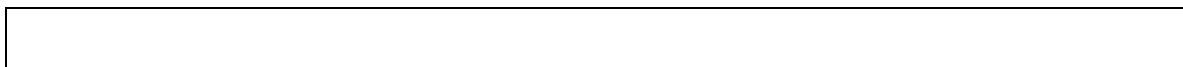
It will thus allow the authorities to intervene in order to prohibit activities, which may be linked to political activities, for example intellectual debates, monitoring of public elections, etc.

The draft law furthermore grants the administrative authority the right to approve or refuse any association's request to join any Arab or international gathering. In addition, boards of directors will be formed by a majority of Egyptian nationals, with a maximum of 25% non-Egyptians, with no differentiation between associations active on a local level and those on a regional level. Finally, it gives the Ministry of Social Affairs the right to request the dismissal of particular nominees for the board.

The EMHRN mission was composed of Gilles Manceron, historian and member of the Executive board of the French League for Human Rights, and Thomas Rothpfeffer, Swedish lawyer and trained human rights trial monitor. They were also appointed by the F.I.D.H. During their stay in Cairo, February 5-10, 1999, they attended the EOHR court hearing before the Higher Administrative Court where Thomas Rothpfeffer was admitted as an official observer.

They furthermore had talks with representatives of the Egyptian human rights organisations. The team was able to meet the President of the People's Assembly in Egypt, the deputy Assistant to the Foreign Ministers for Human Rights, the Advisor to the Minister of Justice and member of the Drafting Committee of the Law on Associations and Private Institutions, and the Advisor to the Minister of Social Affairs. Finally they had talks with representatives of the Delegation of the European Commission in Egypt, and several European embassies.

The report will be published shortly in collaboration with F.I.D.H. and will comment on a revised Draft Law project, a copy of which the team received by the Egyptian authorities during their meetings in Cairo. We thank Gilles Manceron and Thomas Rothpfeffer for their committed work in Cairo, as well as our Egyptian colleagues and F.I.D.H for their cooperation.



## **Human Rights Defenders: the Appeal Process of Khemais Ksila and the Situation of the Tunisian League for Human Rights**

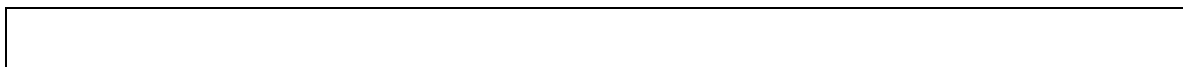
During the past year, the EC has followed the situation of the Tunisian League for Human Rights with particular concern. Due to constant pressure and harassment by the Tunisian authorities, the working conditions of the League have deteriorated throughout 1998. The Tunisian authorities are characterised by having a developed human rights discourse, for example in relation to women's rights, while at the same time systematically employing extra-legal means to harass human rights defenders. Tunisia is also the first country to have held an Association Council with the EU after the signing of an Association Agreement.

If it succeeds to completely marginalise the Tunisian human rights activists it will create a dangerous precedence that might affect human rights activists in other countries.

In April, the Executive Committee decided to send a mission of inquiry to Tunisia to attend the appeal process of Mr Khemais Ksila, Vice President of the League and to inquire into the situation of the League, as well as the situation of Ms Radhia Nasraoui, lawyer and member of the Tunisian Bar Council. On February 11, 1999 Mr Khemaïss Ksila was sentenced to three years imprisonment for "defamation against the authorities, propagation of false information disturbing public order and inciting citizens to transgress the laws of the country". Recently three members of the Executive Committee Fadhel Ghedamsi, Abdelkarim Allagui and Salah Zeghidi have been subject to constant monitoring and shadowing by the police. During the month of February the President of the League, Mr Taoufik Bouderbala, was summoned for an interrogation by the Public Prosecutor regarding the text of a Declaration which mentioned the situation of fundamental rights and liberties in Tunisia.

Mr Moncef Marzouki, former president of the League, and an individual member of the Network, remained deprived of his passport and was denied his right to carry out his profession as a hospital physician. His brother, Mr Bedoui, had two months prior been sentenced to six months in prison for resisting the forces of order. Ms Radhia Nasroui, who is widely known for her activities in defence of prisoners of conscience in Tunisia, had been subject to measures of serious intimidation. Proceedings against her began on 30 March 1998. She was accused of a number of offences, the most serious of which "maintaining connections with a terrorist organisation".

The delegation consisted of Mr Hans Kjellund, advocate of the High Court of Denmark, and Mr Mohammed Anik, member of the Casablanca Bar Council.



Prior to the departure of the team, the Network forwarded a letter to the Ministers of the Interior and of Justice asking them to meet Mr Kjellund and Mr Anik but our letters were met with no reply.

During their stay, the team of the mission attended the appeal process of Mr Khemaïs Ksila on 11 April 1998, and was constantly shadowed by the police during its meetings with the League.

In the court, the prosecution obtained for a stay of the proceedings until 25 April 1998 for the alleged reason that the original criminal record was missing from the documents of the case.

The Executive Committee therefore decided to send Mr Kjellund and Mr Anik on a new mission to follow the second court trial on April 25, 1998. Again, a letter was forwarded to the Ministers of the Interior and of Justice asking for a meeting, and again with no result.

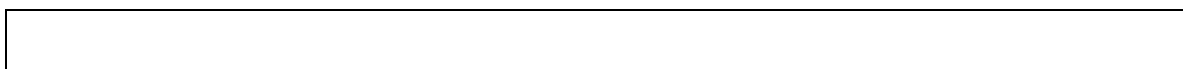
During the second court hearing the original criminal record was no longer missing, however, a new auxiliary judge had been appointed. The council for the defence asked for the postponement of the trial and a retake of the procedures referring to article 165 of the Penal Code Procedures according to which only judges having assisted at all deliberations can vote and deliberate. The court refused the demand and the defence withdrew from court. Mr Ksila's sentence was thereafter confirmed without deliberations.

The report of the mission documents the political nature of the process against Mr Ksila, and it clearly spells out that the process runs counter to Tunisia's international human rights obligations, including the Association Agreement with the EU. In July, the report was forwarded to the EU Commission, the Committee of High Officials of the EMP, members of the European Parliament, the press and the members of the Network.

It was followed-up by a letter to the EU representations in Brussels, urging them to put the human rights violations in Tunisia on the agenda as an explicit point during the first Association Council between Tunisia and the EU.

We thank Hans Kjellund and Mohammed Anik for their professional work and we regret that the report was not followed-up by a mission to the EU institutions at a time when the Network had to deal with the freezing of EU funds.

However, in February 1999 the Network co-sponsored a trip for representatives of the League to Denmark, Sweden, France, the Netherlands and Brussels during which they submitted projects to human rights agencies and briefed them about the



human rights situation in Tunisia. They also met with the EC in order to explore different options for future cooperation.

### **Human rights Defenders in Syria: the Case of Nizar Nayyof**

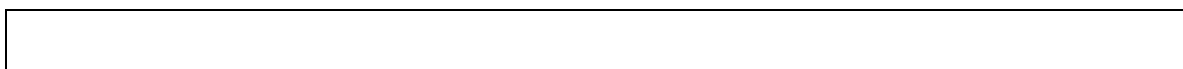
In October, the EMHRN was asked by Human Rights Watch to join an international campaign for Nizar Nayyof.

Syria is the only country in the Euro-Mediterranean region where human rights activists are denied all rights to organise. Therefore the EC felt that it was particularly important to join the campaign and decided at its meeting in Cairo to send a mission of inquiry to Syria. Mr Per Stadig, Lawyer and member of the International Committee of Jurists, Sweden, and Mr Muhammed Mandour, Hospital Director and coordinator of the Arab Regional Working Group for Human Rights, Egypt, kindly volunteered for the mission

Nizar Nayyof, a journalist, writer and human rights activist, is a leading member of the independent Committees for the Defence of Democratic Freedoms and Human Rights in Syria (CDF) which is a member of the EMHRN. He was imprisoned in 1992 for practising his internationally recognized right to free expression with regard to the human rights situation in Syria, and is currently serving a 10-year prison sentence. According to information made public by Reporter sans Frontières in August 1998, he is gravely ill and might die unless he receives immediate treatment for Hodgkin's disease. Nevertheless, the Syrian authorities have refused to grant Nayyof the necessary treatment unless he pledges to refrain from political activity and renounces alleged "false statements" he made about the human rights situation in Syria.

In a letter addressed to the Syrian Ministers of Foreign Affairs, of the Interior, of Justice and of Health, respectively, November 4, 1998, the Network asked for all necessary steps to be taken in order to let Nizar Nayyof receive unconditional medical treatment. We also asked that his case be dealt with in a just and human manner, and that a mission of inquiry may visit Nizar Nayyof in prison. In a press release, November 11, 1998, the Network informed the press, the High Officials of the EMP, the EU Commission and EU Parliamentarians about Nizar Nayyof's situation and the mission of inquiry.

On December 10, 1998, the Network received a letter from the Syrian Ambassador in Cairo which, according to our knowledge, is the first addressed to a human rights organisation by the Syrian authorities with details about the situation of a Syrian prisoner of conscience. Concerning the health situation of Nayyof, the ambassador explained that Nizar Nayyof had been transferred to hospital and that his complaints were due to a rupture in the spine (a disc). The ambassador regrettably





underscored that Nayyounf is a member of an organisation, which consists of extremist and illegal groups committing crimes against state security by distributing material that violates Syrian law, within the region. He argued moreover that Nayyounf's confessions were made without pressure or coercion and that allegation of torture or neglect in medical treatment of any prisoner in Syria is not true since Syria adheres to all international conventions and treaties concerning human rights and freedom.

In a reply, of December 12, 1998, the Network thanked the ambassador for his detailed reply and noted that there were important discrepancies between information in his letter and the information the Network had received.

We explained that the CDF was established in 1989 by intellectuals, lawyers, journalists and human right activists with the objective of promoting human rights in Syria. In 1991, the CDF became a member of the renowned F.I.D.H and in 1997 of the EMHRN. During 1991 and 1992 more than 250 members of the CDF were arrested in what seems an attempt to crack down on the organisation.

We furthermore wrote that according to our sources, Nizar Nayyounf gave himself up on January 10, 1992, after his wife and three-year-old daughter were arrested instead of him. On March 17 he was sentenced by a military court to ten years in prison, charged with membership in an illegal organisation and distribution without permission of leaflets critical of the government. The proceedings of the court did not meet international fair trial standards, and the conviction and sentence were not reviewed by a higher tribunal, as required under international law.

Finally, we noted that since our information did not seem to correspond, misunderstanding and misinformation could be eradicated by allowing our mission to visit Nizar Nayyounf and as such a joint work could be furthered towards the common goal of respect for the international recognised human rights standards.

The letter has not been answered by the Syrian government. We believe, however, in the importance of continuing exchange of letters with the Syrian authorities and will follow-up on Nizar Nayyounf's case.

### **3. GENERAL WORK IN RELATION TO THE MECHANISMS OF THE EMP**

In the past year the EMHRN has worked on different levels in relation to EMP in order to:

1. Promote awareness of its human rights dimension.

2. Promote awareness of the need to create monitoring mechanisms on human rights by the EMP in collaboration with human rights NGOs.
3. Establish EMHRN as a credible human rights network.

### **Racism, Xenophobia, Migration and Refugees**

During the past year the EC has discussed how to develop a Network strategy which could add constructively to work already done by organisations such as ECRE, Migrants Forum of the EU, the European Network against Racism, and the visa campaign of the French and Belgium human rights leagues.

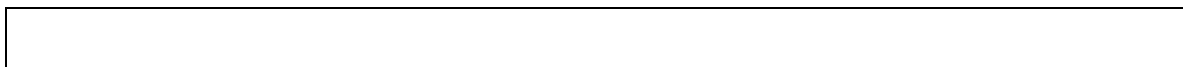
The EC is of the opinion that the EMHRN distinguishes itself as being a North-South network, which considers the whole Euro-Mediterranean region as its area of concern. It therefore has a potential for dealing with issues such as freedom of movement; readmission agreements; the respect of human rights in the combat of terrorism and political violence; and with South-South migration.

In this spirit, the EC members have represented the EMHRN at several key conferences on migration and refugee issues. The most important in relation to the EMP was probably the Round Table organised by the Churches' Commission for Migrants in Europe, the Mediterranean Citizens' Forum and the Migration Policy Group in The Hague, February 19-20, 1999. The Workshop aimed at presenting recommendations from the NGOs to the EuroMed experts meeting on migration and human exchange, The Hague, 1-2 March, 1999 which will report back to the EMP Summit in Stuttgart. The recommendations of the Workshop constitute an important platform for future work and will be distributed during the General Assembly.

### **The Wilton Park Conference**

The EMHRN was also represented at the Wilton Park Conference: *Strengthening Democracy and Respect for Human Rights* which reported back to the Summit of the EMP in Palermo, June 1998.

The report from the Conference stressed the importance of civil society working with governments towards progress in the areas of strengthening of democracy and human rights. It acknowledged that non-governmental organisations have an important role to play in building democratic consensus, and that networks, and contacts with similar organisations as the EMHRN, are particularly useful. The report



was summarised in the EMHRN Newsletter and also constitutes a platform on which to build future work.

### **The Stuttgart Events**

At the EC meeting in April 1998, it was decided that the third General Assembly was to be held in Palestine. However, due to the temporary suspension of EU funding the meeting of the General Assembly had to be postponed, and instead the EC decided in Cairo that the Network should be present in Stuttgart on the occasion of the EMP Summit in order to increase the visibility of the EMHRN and NGOs working in the field of human rights.

Prior contacts had been made to the German government which revealed that six months ahead of the Stuttgart Summit no decisive plans were yet on the sketch board. Due to the short time left to prepare a Civil Forum, the EC agreed that the Network should not take the lead in organising such an event but it should:

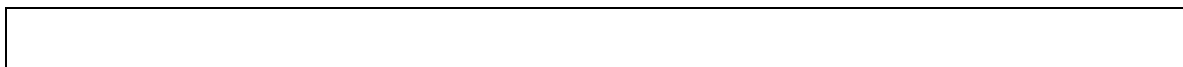
1. hold the third General Assembly of the Network in Stuttgart;
2. identify German partners who could assist the Network in preparing the General Assembly;
3. announce the readiness of the Network to coordinate a human rights event in continuation of the General Assembly ;
4. prepare a Policy Paper in consultation with its members and submit it to the Partnership governments before the Summit.

Finally, it was agreed that urgent issues to be dealt with in Stuttgart should include:

- A. human rights in conflict resolution,
- B. the relation between civic and political rights and social and economic development,
- C. migrants and refugees rights and freedom of movement, and
- D. the need for strengthening dialogue between civil society and the EMP.

Shortly thereafter the EMHRN was informed that the Forum des Citoyens de la Méditerranée (FCM) also had made plans for Stuttgart, and it was decided to coordinate activities.

In the meantime German colleagues facilitated contacts in Germany, and the upshot was that the Friedrich Ebert Foundation agreed to organise a conference in Stuttgart on Human Rights and Citizenship in the Mediterranean in coordination with the Network and the FMC.



The organisers had to wait until late February for financial guarantees from the German government and the EU Commission. Despite the short time left to arrange the event and despite limited funding available, the EC felt that it was important to participate in the coordination of the conference, and that participation in the General Assembly and the Conference together was worthwhile for its members.

We thank Mr Werner Lottje, Diakonisches Werk, the Friedrich Ebert Foundation and the Forum des Citoyens de la Méditerranée for their willingness to support and collaborate with the EMHRN

### **Brussels seminars**

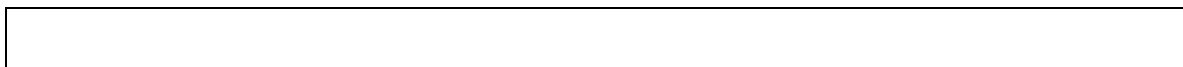
In April 1998, the EC prepared two events to take place early summer in Brussels:

- A. a training seminar on the human rights dimension of the Barcelona process;
- B. a reflexion seminar/workshop on Article 2 of the bilateral Association agreements.

The aim of the training seminar was to inform the participants about the provisions and principles of the Barcelona process, and to encourage exchanges between members of the Network as well as between participants and representatives of the EMP and the EU. The program was finalised early June, and included speakers from the EU Commission, the European Parliament, EMP governments, international human rights organisations and the EMHRN. Sessions were planned on: The relation between the Commission, the EU Parliament, and the Council of Ministers; the historical background to the EMP; the role of the Commission in the Barcelona process; the functioning of the European Parliament and the EuroMed Parliamentary Forum; the human rights programs of the EU; project implementation and funding in the EuroMed region; local and regional experiences in lobbying the mechanisms of the EU and the EMP; and finally workshops on how to move forward in the context of the Barcelona process.

The reflexion seminar was planned to take place in the European Parliament and aimed at discussing how to develop more detailed norms and criteria in the application of the human rights clause of the Association Agreements between the EU and its Mediterranean Partners. EU Parliamentarians were invited to the meeting as well as members of the EMHRN and international human rights NGOs.

As mentioned above, in June 1998 both events had to be postponed because of the freezing of EU budget lines.



#### 4. NEW MEMBERS

The EC has in the past year welcomed the following organisations and individuals as new members of the Network:

**As regular members:** Arab Organisation for Human Rights in U.K.; Centre for Media Freedom, Middle East and North Africa, UK; Espace Associatif, Morocco; Foundation for Human & Humanitarian Rights, Lebanon; Italian Refugee Council, Italy; Palestinian Centre for Human Rights, Gaza, PNA;

**As associate members:** Amnesty International, European Union; Euro-Arab dialogue from below (Ead), Netherlands; and the Libyan League for Human Rights.

**As individual members:** Mr Madjid Benchikh, Law Professor, Algeria; Mr Hans Kjellund, Lawyer, Denmark; Mr Moncef Marzouki, Former President. Tunisian League for the Defence of Human Rights; Ms Christine Merkel, German UNESCO Committee, Germany.

We thank them for their interest in joining the Network and look forward to fruitful cooperation in the future.

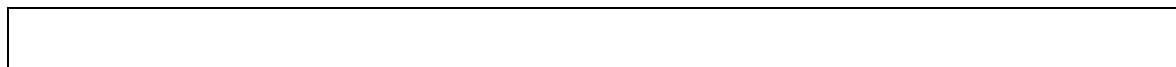
The EC has with regret noted that many members have not yet paid their membership fees and decided to determine which steps to be taken on this issue after the third General Assembly. The EC has also noted that only few members have presented a report of their activities related to the EMHRN. Furthermore it has decided to draft a proposal for by-laws that specify admission criteria.

#### 5. OTHER ACTIVITIES

##### Annual Report

The EC has drafted an outline of the Annual Report. The report will seek to analyse the Barcelona process from a human rights perspective based on country cases and key issues. It will not aim at repeating work already done by international human rights organisations. Due to capacity reasons the first annual report will be modest but at the same time reflect the structure of future reports.

Several members have offered to contribute to the annual report. We are grateful for their support, and articles are now being prepared. However, it is also clear that some members have difficulties in meeting dead lines due to heavy work load. The EC therefore proposes to publish the annual report in the form of compilations of articles. For a draft outline, see annex 3.



## **Newsletter**

The Network has published five issues of a Newsletter (about 100 copies each). From an initial 2 pages it has grown to about 8 pages and now includes sections on 1) The Network, 2) The human rights dimension of the Barcelona process, 3) Human rights defenders, 4) News from the members 5) Conferences. Due to capacity reasons, the Newsletter does not yet appear on a regular basis.

## **Funding**

Contacts have been made to funding agencies in France, the U.K., the Netherlands, Sweden, Denmark and Switzerland. In November 1998, the EMHRN sponsored a visit of Khader Shkirat and Abdelaziz Bennani to Sweden where they presented the objectives of the EMHRN to representatives of funding agencies and human rights NGOs. Eva Norstroem arranged the meetings. We believe these initial contacts will help the Network to consolidate its finances in the future. Priority is given to secure professional translation of the Network documents into all three working languages.

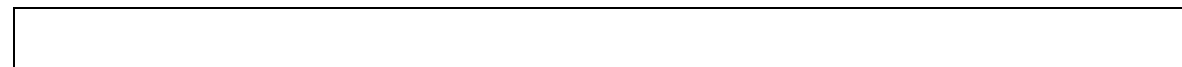
## **Officers of the Network**

At the meeting in Copenhagen the EC elected its officers<sup>16</sup>. Saïd Essoulami and Philip Rudge were appointed as Network advisors and Marc Schade-Poulsen was appointed as the Executive Director. Marc Schade-Poulsen has been the only full time employee of the EMHRN in 1998. Due to the delays in EU funding it has not been possible to employ an information officer as planned.

Camilla Strandsbjerg was employed as part time student assistant (15 hours per week) until November 1, 1998. Between April 15 and August 1, 1998, Karen Ormstrup Soendergaard worked as part time student assistant. She was succeeded by Kathrine Roemhild on August 15. Marit Floe Joergensen succeeded Camilla Strandsbjerg on November 1.

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<sup>16</sup>Lobbying: Kamel Jendoubi.; Capacity building: Bahey El Din Hassan and Morten Kjaerum. Human rights education: Bahey El Din Hassan Migration and refugees: Eva Norstroem and Stefano Leszczynski. Freedom of expression, assembly and association: Abdelaziz Bennani. Annual report: Driss El Yazami. Protection of human rights defenders: Khader Shkirat. Membership applications: All members of the Executive Committee. Finances: Khader Shkirat. Fundraising: Morten Kjaerum and Khader Shkirat. Internal dialogue and administration: Morten Kjaerum.



## CONCLUSION

In conclusion, the Plan of Action will be used in order to evaluate the work of the EMHRN.

The Plan of Action identified as priority issues: freedom of opinion and expression, thought and conscience, and assembly and association, as well as the protection of refugees and the respect for human dignity, including freedom from racism, xenophobia and intolerance.

In the past year the Network has worked on freedom of expression in Jordan and freedom of association in Egypt.

We believe that the work on Jordan produced results and that the type of action we opted for can be used in future campaigns on for example the LAPI in Egypt. We also believe that if a similar approach had been used in relation to the Tunisia report, we might have obtained more results.

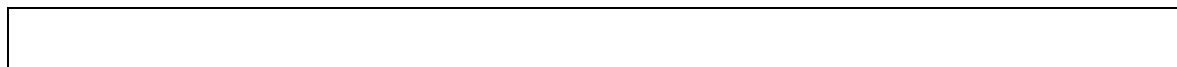
As regards the issue of racism, xenophobia and intolerance, the Network has not yet produced results on the ground. The EC has concentrated its efforts on defining the specificity of the Network and has contributed actively to debates on the issue at key meetings and conferences.

**Documentation, information and dissemination:** The Plan of Action states that the Network aims at promoting dialogue on human rights issues in the region, and to strengthen human rights awareness by inviting individuals, organisations and institutions to become new members. Furthermore its activities should be based on i) a computerised information service, ii) an annual report, iii) an annual seminar and iv) publications related to the seminars.

The Network has admitted new members who are believed to become important assets for the EMHRN. It has published five Newsletters and has systematically fed the members, officials of the EMP, the press and interested individuals and organisations with news about the Network's activities.

Due to delays in funding the Network has not yet been able to organise an annual seminar, publish an annual report, nor to establish a computerised information service.

**Dialogue, lobbying and campaigning:** The Network has become renowned by officials and representatives of the EMP institutions, and by international and regional human rights agencies. The Network has been represented at all key conferences and seminars on human rights and civil society aspects of the Euro-



Mediterranean region. The preparations of the two postponed seminars in Brussels, the campaign in relation to the freezing of EU budget lines, the actions on Jordan, Tunisia, Egypt and Syria, and the involvement in the Stuttgart events has increased communication, dialogue and co-operation with the EU Commission, the EU Parliament, representatives of the EU council and the EMP countries. The Network is furthermore grateful for the support from Amnesty International, Article 19, F.I.D.H., Human Rights Watch, the Friedrich Ebert Foundation, the Heinrich Böll Foundation, the Committee to Protect Journalists, local committees of the International Commission of Jurists, The International Federation of Human Rights Leagues, International Service for Human Rights, the Observatory for the Protection of Human Rights Defenders, Reporters sans Frontières, Euro-Arab Dialogue from Below, the Cairo Institute for Human Rights Studies, The European Institute for Research on Mediterranean and Euro-Arab Cooperation, Forum of the Mediterranean Citizens, and Migrants Forum of the EU, and least but not last, the positive feed-back it has received from member organisations.

**General education, capacity building and the protection of human rights**

**defenders:** The Network has not produced significant results in the field of general education and capacity building although the two above mentioned projects are still pending. We believe that the unpredictable delays in EU funding have been a major obstacle. The members of the Network have simply not had the occasion to meet under the EMHRN umbrella to discuss how they could develop common projects or use the Network to strengthen their work on the ground.

On several occasions the EC discussed how to develop an efficient program for the protection of human rights defenders. These discussions have not reached a conclusion yet. Although members of the Network have initiated collaboration with the Tunisian League under the umbrella of the EMHRN, it is still too early to evaluate the outcome of this initiative.

In conclusion, we believe 1998 has been a year where EMHRN activities have been seriously impeded by delays in EU funding, but also a year where the first steps were taken towards establishing the EMHRN as a credible human rights network.

**ANNEX 1. MAIN PUBLICATIONS, LETTERS AND PRESS RELEASES IN 1998**

February	Newsletter (English and French)
March	Newsletter (English and French)

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7 April:	Press release on the EC meeting in Copenhagen (English and French)
8 April: .	Letters to the Tunisian ministers of Justice and Interior (French)
8 April	Press release on the mission to Tunisia (English, French and Danish)
24 April	Press release on the mission to Tunisia (English, French and Danish)
May	Diffusion of report from the second general assembly (130 copies, English version)
25 May	Letter of invitation to the Brussels training seminar (English and French)
25 May - 10 June	Invitations to speakers at the training seminar (English and French)
3 June	Letter of invitation to the Brussels seminar on Article 2 (English and French)
15 June	Letter to the Network members, participants at the Brussels seminars, speakers as well as to the European Parliament on the postponement of the Brussels seminars (English and French)
2 July	Letter to the representations of the EU countries in Brussels before the first Association Council between the EU and Tunisia (English)
5 July	Letter to the Austrian EU Presidency on the freezing of EU budget lines (English)
7 July	Letter to the members on the freezing of EU budget lines (English and French)
8 July	Press release on the freezing of EU budget lines (English and French)
9 July	Publication of report from Tunisia (French) (forwarded to the members, EU parliamentarians, EU troika, Follow-up committee of the Barcelona process, Tunisian ministers, etc.)
July/August	Publication of Newsletter (English and French)
August/	Letters about the Network to funding agencies (English)

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September	
September	Diffusion of the report from the Second General Assembly (50 copies, French version)
15 October	Press release from the EC meeting in Cairo (Arabic, English and French)
4 November	Two letters of reply forwarded to the Director General of the Jordan Press and Publications Department on behalf of the EMHRN and international NGOs (English)
11 November	Press release concerning Nizar Nayouf's and the EMHRN mission to Syria (English, French and Arabic)
12 November	Publishing of report on the Jordan Press and Publication Law (English)
16 November	Press release on Sa'eda Kilani's press conference in the European Parliament (English and French)
17 November	Press release on the Jordan report (English and French)
1 December	Second letter to thSyrian Embassies in Cairo and Bonn concerning Nizar Nayouf's case and the EMHRN mission (English)
4 December	Press release concerning the arrest of Hafez Abu Sa'ada
7 December	Forwarding of press dossier on the Jordan Press and Publications Law to the European Parliament
12 December	Reply to letter from the Syrian embassy in Cairo concerning Nizar Nayouf's case and the EMHRN mission (English)
End December	Publishing of Newsletter (English and French)
End of December	Forwarding of draft policy paper for the Stuttgart meeting to Network members ( English and French)
January	Distribution of Jordan report in French
8 February	Letter of information to EMHRN members (English and French) concerning the Stuttgart meeting

## **ANNEX 2. TRAVELS FINANCED BY THE NETWORK**

April	Two missions to Tunisia composed of Hans Kjellund and Mohammed Anik in relation to the appeal process of Khemais

	Ksila
27-29 April	Stefano Leszczynski's participation in the <i>First Mediterranean Meeting of National Institutions for the Protection and Promotion of Human Rights</i> , Marrakech
12-15 May	Marc Schade-Poulsen's travel to Strasbourg and Brussels to prepare the Network's two Brussels seminars.
7-10 June	Marc Schade-Poulsen and Eva Norstroem's participation in the LAW's conference "50 Years of Human Rights Violations: Palestinians Dispossessed", Jerusalem.
17 June	Marc Schade-Poulsen and Kamel Jendoubi's travel to the European Parliament in Strasbourg to meet with administrators of the political parties.
27-30 June	Marc Schade-Poulsen and Abdelaziz Bennani's travel to Paris and Brussels to meet Driss El Yazami and Kamel Jendoubi and representatives of EU institutions.
14 October	Marc Schade-Poulsen's visit to Brussels to meet administrators of the EP parties, the Commission, the German Representation in Brussels, and Pax Christi.
18-19 October	Mourad Allal's participation in Bruno Kreisky and Dr Karl Rennes seminar on the Euro-Mediterranean Partnership.
19-22 October	Marc Schade-Poulsen's participation in the Wilton Park Conference <i>The Euro-Mediterranean Dialogue: Taking the Pulse</i> (part financing).
9 November	Marc Schade-Poulsen's meeting in Paris the Citizens Forum of the Mediterranean to coordinate Stuttgart event.
15-18 November	Khader Shkirat and Abdelaziz Bennani's visit to Stockholm to meet human rights organisations and funding agencies.
17-18 November	Marc Schade-Poulsen and Sa'eda Kilani's visit to the European Parliament.
26 January	Marc Schade-Poulsen's visit to Brussels at the Friedrich Ebert Foundation to prepare the conference for the Stuttgart summit.
2 February	Marc Schade-Poulsen's visit to Paris and Brussels to discuss respectively plan of action for the Tunisian Human Rights League and to make a presentation on the Stuttgart summit at the human rights coordination meeting at the EP.
5-9 February	Mission to Egypt composed of Gilles Manceron and Thomas

	Rothpfeffer.
23 February	Marc Schade-Poulsen and Driss El Yazami's visit to Brussels to prepare Stuttgart Conference.
25 February-4 March	Part financing of the Tunisian League's round-trip to Europe

The EMHRN has furthermore been represented at the following conferences:

10-12 May	<i>Strengthening Democracy and Respect for Human Rights, Wilton Park</i>
12-15 September	<i>Social Deficit and Tensions in the Euro-Arab relations, Rome</i>
27-30 November	<i>The Moroccan Community settled abroad and human rights, Tangiers</i>
9-10 December	<i>Citizenship and the human rights of migrants in the European Union, Brussels.</i>
19-20 February	<i>Round table on migration and human exchange, The Hague.</i>

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### **ANNEX 3. ANNUAL REPORT - OUTLINE FROM MARCH 1999**

#### 1. Introduction

- A. A short summary of the Partnership since Barcelona, November 1995
  - B. Presentation of the EMHRN
  - C. Presentation of main topics of the report
- #### 4. Policy paper/ recommendations
- #### 5. Human rights in the build-up of the Euro-Mediterranean Partnership
- A. The human rights situation in Tunisia and the EU: (Tunisia is the first country where an Association Agreement has been ratified by all EU states, and a first Association Council meeting has been held).
  - B. The role of the EU in promoting human rights in Turkey after establishing the Customs Union.
  - C. The case of Algeria: A country negotiating an Association Agreement with the EU.
  - D. Peace and human rights in the Euro-Mediterranean region.
- #### 4. Key human rights aspects of the Barcelona process
- A. Freedom of expression in the Euro-Mediterranean region with a specific focus on countries having signed an Association agreement with the EU.
  - B. Freedom of association in the Euro-Mediterranean region with a specific focus on countries having signed an Association agreement with the EU.
  - C. Violence against women in the EuroMed region.
  - D. Human rights education in the EuroMed region.
  - E. Trade, aid and human rights in the EuroMed region.
  - F. Racism, freedom of movement, citizenship and undocumented migrants.
  - G. Rights of refugees and human rights standards in the Barcelona process.
- #### 4. Strengthening the institutional dimension of human rights in the Barcelona process.

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**PART 3**  
NEXT YEAR'S PROGRAM  
APRIL 1999 to APRIL 2000

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## 1. INTRODUCTION

This paper raises the main points which the Executive Committee wishes to introduce for the discussion of the next year's program during the General Assembly. We look forward to an open and constructive debate on how to develop the issues raised below.

1. Next year's program should build on a realistic assessment of the work done in 1998, members' needs, and the capacity of the EMHRN, including the secretariat.
2. The present funding situation will allow the EMHRN to carry out a number of basic activities:
  - organise a training seminar on the Barcelona process;
  - publish an annual report;
  - publish a handbook on human rights and the Barcelona process;
  - publish briefing notes on human rights issues;
  - establish a web site;
  - strengthen the capacity of the secretariat by employing an information officer;
  - hold meetings of the executive committee;
  - finance of a number of travels.

We are furthermore working to secure professional translation of all our documents into our three working languages.

3. Next year, the EMHRN should develop its work and general strategy within the following fields:
  - Lobbying the Euro-Mediterranean Partnership (EMP) on human rights issues.
  - Freedom of association and expression.
  - Racism and xenophobia, migration and refugees, and human exchange.
  - Capacity building.
  - Protection of human rights defenders.
  - Peace and conflict resolution.
  - Women's rights.





## **2. LOBBYING THE EMP MECHANISMS ON HUMAN RIGHTS ISSUES**

The EMHRN has become known by the EMP institutions in 1998.

- We were present at the two Wilton Park conferences on the Barcelona process which were also attended by high officials of the EuroMed Partnership.
- We were also present at The Hague workshop on migration.
- We have co-operated with administrators and members of the European Parliament in relation to Jordan, the freezing of EU budget lines, and the preparations of the two postponed Brussels seminars.
- We have prepared a policy paper for the Stuttgart summit.
- We have secured a strong presence of the EMHRN in Stuttgart.
- We are funded by the Meda Democracy Program.

Next year we should:

- A. Continue to lobby the EMP mechanisms along the same lines as last year and improve targeting of local EU delegations.
- B. Lobby for the EMHRN objectives in other international fora.
- C. Strengthen our monitoring of the EMP mechanisms, and
  - I. Publish an annual report in the form of a series of compilations.
  - II. Produce a handbook on the human rights mechanisms of the EMP.
  - III. Organise a training seminar on the human rights dimension of the Barcelona process.
  - IV. Encourage EMHRN member organisations to ensure that one person in their organisation involves himself/herself actively in EMHRN issues.
  - V. Make a feasibility study of the possibilities for opening an office in Brussels.
  - VI. Strengthen and co-operation and co-ordination of activities with other human rights organisations. The EMHRN should also aim at co-ordinating the publishing of comprehensive country reports on the occasion of Association Council meetings with national, regional and international human rights organisations.

## **3. FREEDOM OF EXPRESSION AND ASSOCIATION**

In the past year the EMHRN has worked on press freedoms in Jordan. The Jordanian government has proved willing to initiate a dialogue with the EMHRN and has invited the Network to visit Jordan.

Next year we should follow up our actions on Jordan. We have already produced some results, and if we succeed in obtaining more, it will help us in our work in other countries.

Therefore, we should aim at holding a seminar in Jordan on press freedoms in the Mediterranean with the purpose of comparing legislation and practices (including identifying best practices) and of creating a platform for future work. The seminar could be organised by members of the Network under the umbrella of the EMHRN.

We will soon publish a report on freedom of association in Egypt. We should propose to our Egyptian colleagues that they collaborate with the EMHRN in lobbying the EU Parliament on this issue. We should also aim at holding a seminar, for instance in Morocco, on freedom of association, again with the purpose of comparing legislation and practices in the Mediterranean (including identifying best practices), and of creating a platform for future work. It could be organised by local members under the umbrella of the Network.

#### **4. RACISM AND XENOPHOBIA, MIGRATION AND REFUGEES, AND HUMAN EXCHANGE**

The EC has in the past year discussed how the Network could contribute to these issues without duplicating the work of existing networks. In addition the EMHRN has collaborated with other Networks during The Hague Workshop, which produced a significant policy paper for the official partnership. We believe the EMHRN is well suited to deal with issues such as freedom of movement, protection standards in relation to readmission agreements, South-South migration, and protection standards in relation to the combating of terrorism and political violence.

We believe that next year we should develop the above mentioned approach in co-ordination with other networks, and aim at seeing projects materialise on the ground.

#### **5. CAPACITY BUILDING (INCLUDING HUMAN RIGHTS EDUCATION)**

The Network has done very little on this issue in the past year, and two projects that came out of the second General Assembly are still pending. The fact that our members did not have the opportunity to meet accounts for this situation.

We believe that the EMHRN should work both as a solidarity network and as a human rights network rooted in local activities and in the implementation of projects.

The Network could take major steps forward if it succeeds in becoming instrumental for the members in their daily work.

We suggest that a main working title for next year's efforts in the field of capacity building projects could be "Access to Justice". "Access to Justice" comprises the work of human rights organisations in strengthening the rule of law, and for the development of a human rights culture. It comprises issues such as freedom of association and expression, access to justice for minorities, migrants and refugees, women's rights, civil society and the monitoring of access to fair trial and the use of para-legals for legal aid.

We furthermore propose that the EMHRN should improve its work by initiating a process by which to identify the needs and expectations of the members in relation to the Network.

## **6. PROTECTION OF HUMAN RIGHTS DEFENDERS**

In the past year the Network has sent a mission to Tunisia and initiated collaboration with the Tunisian League. We have asked the Syrian authorities to allow a mission to Syria and we have co-operated with the FIDH on two missions to Egypt.

We suggest that the Network continues working along the same lines next year. We also propose that the EMHRN develops and improves co-operation and co-ordination in this field with organisations such as the Observatory for the Protection of Human Rights Defenders, International Alert, International Service for Human Rights, Amnesty International, Human Rights Watch, and the International Helsinki Federation.

## **7. PEACE AND CONFLICT RESOLUTION**

The crisis in the Middle East Peace Process and armed conflicts in the region are detrimental for the promotion of human rights standards. Governments use security reasons to justify human rights violations and to marginalise human rights organisations. Conflicts also hamper regional co-operation between human rights groups. The EMHRN has not yet developed a strategy on how to approach the issue or on how the Network could contribute constructively to the enhancement of the work of human rights organisations working in conflict areas and/or under the impact of the crisis in the Middle East Process. We suggest that the EMHRN develop its approach on these issues next year.

## **8. WOMEN S RIGHTS**

There are no human rights unless women enjoy full and equal rights. The Network has not yet integrated the issue of women's rights into its general strategy and few women's organisations and networks are members of the EMHRN. The Network should in the next year initiate discussions with women's organisations in the region on how it can become instrumental in promoting their work.

**The EMHRN Executive Committee, March 1999.**

