

**THE FIFTH GENERAL ASSEMBLY OF THE EURO-MEDITERRANEAN
HUMAN RIGHTS NETWORK**

**LA CINQUIÈME ASSEMBLÉE GÉNÉRALE DU RÉSEAU EURO-
MÉDITERRANÉEN DES DROITS DE L'HOMME**

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**REPORT OF THE FIFTH GENERAL ASSEMBLY OF THE EURO-MEDITERRANEAN HUMAN RIGHTS
NETWORK,
ATHENS, 14-15 JUNE 2002**

INTRODUCTION

On the 14th and 15th June 2002, the Euro-Mediterranean Human Rights Network (EMHRN) gathered for its fifth General Assembly in Athens. This took place following a seminar on women's rights organised by the EMHRN in Athens on 13th June 2002¹.

The overall objective of the EMHRN, created in 1997, is to help protect and promote the human rights principles contained in the Barcelona Declaration, thereby helping to promote peace, stability and human dignity and worth in the Euro-Mediterranean region.

The EMHRN also works to strengthen the participation of civil society in the Barcelona Process and to back up human rights work in the region. This is a synergetic process, with human rights organisations providing mutual support and sharing their knowledge and experience.

The main objectives of this General Assembly were to evaluate work carried out since the fourth General Assembly in Marseille, 2000, to develop the action plan and adopt the budget for the forthcoming period. This Assembly was not elective.

Summary of the meeting

The General Assembly was officially opened by Mr. Bennani, president of the EMHRN, on the evening of Thursday June 13th. He expressed concern over the human rights challenge posed by the current international context within the framework of the fight against terrorism, particularly within the European Union. He stressed the need for the Network to remain highly vigilant regarding the commitments that countries have undertaken within the framework of the Barcelona Process. He also expressed the wish that various issues would be able to move forward under the Greek Presidency, including the question of refugees and migrants.

Three speakers took the floor after Mr. Bennani. First was Mr. Efthymiadis, the representative of the Greek Foreign Affairs Minister. He referred to the forthcoming Greek Presidency of the European Union, stressing that it was necessary to collaborate with civil society, particularly the Network, on issues concerning democracy, human rights, justice and home affairs.

Panayote Dimitras from the *Greek Helsinki Monitor* then painted a critical picture of the Greek policy on migrants and refugees, referring to the dramatic situation regarding detention centres for foreigners in Greece. He urged the Network to adopt a critical stance on this issue.

Finally, Mr. Theocharis Papamargaris, from the *Greek Committee for International Democratic Solidarity*, stressed the same issue, meanwhile adding that the Network must also give priority to the situation in Palestine, the non-observance of the principles of international law and the erosion of democratic rights and freedoms in Europe in the wake of the events of 9/11.

Friday 14th June began with an **address** from the president of the Network, Mr. Abdelaziz Bennani (see appendix). He spoke about the Network's principal achievements, its weaknesses and deficiencies, and gave his thoughts about what action the Network might take in the medium term.

Eva Norstroem, executive committee member, then opened the first session of the General Assembly. Its theme was « **Future human rights work in the Euro-Mediterranean region: the impact of the events of 9/11 and the situation in Palestine, and the role played by the European Union and the Barcelona Process** ». This session was based on two contributions. The first was from Driss El

¹ The programme and report of the seminar are available from the secretariat of the EMHRN.

Yazami, executive committee member, who talked about the impact of 9/11 on the European Community and on the South, drawing particular attention to measures restricting freedoms, which are now being adopted or strengthened. The second contribution came from Bahey El Din Hassan, also executive committee member. He drew attention more specifically to the conclusions of the Conference on Human Rights and Terrorism, organised by the *Cairo Institute for Human Rights Studies* in Cairo, in co-operation with the EMHRN and the FIDH in January 2002.

During the debate which followed the General Assembly presented a number of recommendations to the executive committee.

Abdelaziz Bennani opened the second session. Kamel Jendoubi, vice-president of the EMHRN and executive committee member, presented the **annual report of activities**. Nazmi Gür, executive committee member, then presented the **financial report**.

These two contributions led to very intense debate on the Network's activities, priorities and strategy, particularly regarding its policy on communication and links with the media, and regarding relations between the members and the executive committee. The debate resulted in the General Assembly making a number of recommendations.

The annual report and the financial report were then adopted by majority vote.

Because time was short following the intensity of the preceding discussions, the third session was cancelled. This was to have dealt with **the development of the EMHRN and the Euro-Mediterranean Partnership**.

The morning of the second day, Saturday 15th June, was given over to **workshops**. The participants split up into five groups dealing with different themes.

The workshop on human rights education was presided over by Colm Regan. It discussed work carried out to date by the group's member organisations, along with activities envisaged for the near future within the framework of the working group.

The workshop on the Euro-Mediterranean Foundation for the protection and promotion of human rights defenders was presided over by Khémairi Chamari and Jacob Gammelgard, experts charged with carrying out a fact-finding mission to determine the feasibility of a Foundation. The participants discussed four themes: the identity of such a Foundation, its principal activities, its possible beneficiaries and the structures of governance it might adopt. The conclusions of this workshop will be included in the report of the mission.

The third workshop was concerned with **justice** and was presided over by Abdelaziz Bennani. The participants felt that it was important to begin by discussing the current situation regarding justice in the region, as well as the activities and programmes of the Euro-Mediterranean Partnership. In addition, they discussed the issue of trial observation. The second part of the workshop also dealt with freedom of association.

The fourth workshop was presided over by Eva Norstroem and concerned the question of **migrants and refugees**. It was based on the conclusions of the Trieste Conference, organised by the Italian Council for Refugees in co-operation with the EMHRN in January 2002. This workshop discussed the factors which have brought about the current situation and envisaged what the Network might do in this area. One of its recommendations was to create a working group on this issue.

The fifth workshop concerned **Palestine** and was presided over by Khader Shkirat. The discussion centred around the concept paper developed by the working group which was approved by the group with a few amendments. The main recommendation concerned looking for funds with a view to employing a group co-ordinator based in Brussels.

The first session of the afternoon of the second day was presided over by Peter Noorlander and devoted to the **reports from the five workshops** and comments arising.

The second session was opened by Kamel Jendoubi. This concerned the **discussion of the future programme and budget**. Omar Grech and Marc Schade-Poulsen presented a summary of the main recommendations made by the General Assembly on the first day. The participants refined the recommendations and gave their comments. Kamel Jendoubi then presented the outlines of the action plan and the budget, specifying that these would be remodelled in line with the recommendations of the General Assembly. He gave a summary of the main recommendations made by the Assembly on the second day and submitted it to the participants.

The action plan and the budget were adopted unanimously.

The General Assembly was closed by the president Mr. Bennani, who underlined that this Assembly had turned out to be particularly fruitful. He stressed that it was necessary to re-think relations between members and the executive committee, and he urged members to get more involved in the Network's activities. Finally, he thanked all the participants, together with the Greek members and the secretariat of the EMHRN for organising the meeting.

This report presents a résumé of the debates of the General Assembly and includes the annual report of activities and the action plan adopted at the 4th General Assembly in Marseille in November 2000. Rather than follow the agenda or debates in chronological order, it sets them out according to the themes discussed. For ease of reading, the main recommendations of the General Assembly are presented first, then the report.

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

Finally, heartfelt thanks go to Theocharis Paparmargaris, Nafsika Papanikolatos and Panayote Dimitras, the team at the Bank of Greece Employee Union, and to Demetra Kasimis, as well as to Leila Drar and Laurence Le Moing for their help in organising the General Assembly. Last but not least, thanks also go to the interpreters.

The Executive Committee, July 2002.

PROPOSALS FROM THE GENERAL ASSEMBLY TO THE EXECUTIVE COMMITTEE FOR DEVELOPING THE ACTION PLAN

1. On the question of the impact of the events of 9/11 on human rights

- The Network should help promote an international coalition for the protection of human rights.
- The Network should support initiatives linked to the International Criminal Court.
- The Network should draw particular attention to the effects of 9/11 on the rights of the Palestinian and Kurdish peoples.
- The Network should examine the new climate carefully, understand the effects upon its activities, and think up new strategies.
- The Network should also endeavour to promote the human rights agenda within the framework of the Barcelona Process; it should work to enrich its content and to analyse concretely the national and international initiatives undertaken, stressing respect for Article 2 of the Association Agreements in particular.

2. General Proposals

Two issues were addressed:

- Organisation;
- Content.

Organisation

- Communication strategy: The Network should seek to reinforce its communication tools as well as its internal modes of communication.
- Visibility: The General Assembly expressed the desire to strengthen the visibility of the Network.
- Internal regulation and Statutes: The Network should finalise its internal regulation concerning the executive committee and the Secretariat. It should also revise the statutes so that the legal structure of the Network keeps pace with its development. Particular attention should be drawn to the issue of adopting new members.
- The Network expressed the wish to preserve its network status and not become an international organisation.
- The Network should seek to develop the sense of belonging and compatibility amongst the members. For their part, all members should be willing to contribute to the Network according to their abilities.
- The Network underlined that its members represent a coming-together of resources and expertise across the region - they should rally all the more after the events of 9/11.

Content

- The Network should seek to favour dialogue between religions and civilisations.
- The Network should adopt a strong policy on the Kurdish question.
- The Network should attempt to reinforce access to funding for NGOs
- The Network should keep in mind its link with the Euro-Mediterranean Partnership and focus on employing the opportunities afforded by the mechanisms of the Euro-Mediterranean Partnership.

3. Thematic Proposals

- *On the question of human rights education*

- Publication of a collection of human rights texts in the Network's three languages;
- Further development of the Network's Internet site and electronic resources;
- Publication of an annotated guide to Internet sites dealing with Palestine and associated issues;
- Organisation of a conference or workshop for sharing experience and working methods in specific contexts (teachers, women, diplomats, young children etc.);
- Creation of traineeships and trainee-exchanges amongst different organisations;
- Compilation and probable publication of documents on the theme of Islam and human rights aimed at breaking down Europeans' stereotypical view of Islam.
- The working group will develop a human rights education action plan for the medium and long term and submit it to the next General Assembly with clear objectives, a budget and a timetable.

- *On the question of the Euro-Med Foundation for human rights*

- The Network should determine exactly what type of institution it wants to create - Foundation, Fund or Network - because legal distinctions make these groups very different.
- The Network should clearly define the type of relationship it wants to have with the Foundation.
- The Foundation should avoid duplicating other institutions.
- Information and research must be gathered on the international financial institutions and national and regional institutions both in the public and private sphere.
- Responding to emergencies should not be an end in itself for the Foundation and must not become its exclusive task. A management training aspect must be integrated, for example capacity building.
- An upper limit must be fixed on the amount of aid allocated and small projects must be funded above all.
- Thought must be given to the question of which authorities will be in charge of the Foundation, together with the issue of transparency and confidentiality where the Foundation lends its support.

- *On the question of justice and freedom of association*

- The Network should produce a "map" of the current situation regarding justice in the region
- The working group should ensure that this is followed-up by holding a seminar, drawing inspiration from the experience of the women's rights seminar.
- The Network should produce a "map" of the current situation regarding the activities and programmes implemented by the EMP.
- The Network should focus its observations of routine trials, i.e. seeing how procedures are carried out and how justice is dispensed. Work here would also involve deciding what training tools are needed so that local people can observe trials.
- The Network should contact Egyptian member organisations, suggesting that they draw up a report criticising the new law on associations. This report would lead to the organisation of a workshop to facilitate lodging a complaint at the Egyptian Constitutional Court.

- *On the question of migrants and refugees*

- The Network should create of a working group with a mandate defined by its members which will report back to the executive committee and the General Assembly.
- The work carried out should conform to the Trieste document and the vision defined therein.
- The Network should seek to influence the media to present the situation regarding immigration and refugees correctly and honestly so that public opinion does not turn against immigrants and refugees.
- The Network could lend support to regional NGOs so they can integrate issues of migrants' rights into their work. Areas of intervention could involve education, women's rights, women refugees and children. This could help strengthen the regional dimension of the Network's work.
- Report: participants decided that in order to follow up the discussion and make its conclusions more specific and concrete, it would be desirable to produce a report on the theme of migrants and refugees such as the report that was produced for the seminar on women's rights. The executive committee should appoint the person/s in charge of carrying out this report.
- The Network should lobbying policy-makers working in the area of immigration, and in particular should develop a European policy and strategy which would incorporate organisations working in the field (migrants' organisations, unions, churches etc.) It is also important to lobby the European Parliament.

- *On the question of Palestine*

- The working group will base its action on the concept paper adopted during the workshop.
- The Network should observe the situation on the ground regarding human rights violations. This means sending missions and distributing information by human rights organisations on the subject of human rights violations and war crimes. Information would need distribution in Europe.
- The Network will reinforce its activities aimed at ending impunity in Israel. It will undertake a feasibility study for a court to judge human rights violations in the Occupied Palestinian Territories.
- The Network will work to reinforce the capacities of existing organisations in Palestine and Israel, and encourage the European Union to adopt a stance on Palestine based on humanitarian principles and human rights. It will demand that Article 2 of the Association Agreement be applied, and ask for suspension until Israel satisfies its international obligations.
- The Network, through the working group, will establish a network of links with development agencies, religious and humanitarian aid organisations, international human rights organisations and solidarity groups, and will promote a vision for peace based on human rights and humanitarian law.
- The Network, through the working group on Palestine, will campaign on the issue of Palestinian detainees and demand, in particular, the immediate release of Marwan Barghouti.
- The Network should work to make it understood that criticism vis-à-vis Israel has nothing to do with a rise in anti-Semitism.

4. Other proposals.

See the debate of the final session.

PART 1: PROCEEDINGS OF THE FIFTH GENERAL ASSEMBLY OF THE EMHRN

1. OFFICIAL OPENING OF THE GENERAL ASSEMBLY (THURSDAY 13TH JUNE)

The meeting was opened by Mr. Bennani, president of the EMHRN, who recalled that more than sixty human rights organisations had joined EMHRN with the aim of constructing a partnership and creating a synergy to help protect and defend human rights and human rights movements in the region. He underlined the fact that the 5th General Assembly was taking place in an unfavourable regional and international climate which presented human rights with two serious challenges, notably as a result of the Israeli-Palestinian conflict – the economic and political threats to the process of co-operation. Similarly, he expressed concern over the increase of extremist and xenophobic movements in the North and the adoption of repressive legislation which runs contrary to the logic of the rule of law in a number of European countries.

Within this framework, he stressed the need for the Network and its members to be aware that a difficult fight lies ahead in overcoming these challenges in the long-term. He asserted that the Network should draw support from its achievements in promoting the rights of men and women in the Mediterranean. In this sense, he underlined that the 5th General Assembly of the EMHRN represented a turning point for the recently created EMHRN.

To conclude, he expressed the wish that EMHRN would be able to co-operate and enter into dialogue with the Greek government on the question of migrants and refugees, and on the question of human rights in general, so that both themes could move forward during the Greek Presidency of the EU in 2003.

After Mr. Bennani, Mr. Efthymiadis, Adviser to the General Secretariat for European Affairs from the Greek Foreign Affairs Ministry, underlined that the Greek government had a particular interest in issues relating to civil society and human rights; he pointed out that, as a southern European country, Greece had been and was an advocate for developing relations between the EU and its southern Mediterranean neighbours, with the Barcelona Process representing the most advanced stage of these relations.

However, he stressed that the EU was also facing a turning point which had materialised with its policy of expansion and the prospective modifications to its borders in the South and East. In his opinion, this larger Europe would have to deal with new neighbours and focus upon new areas of co-operation. On this topic, he considered that it would be necessary for the new EU member countries to enhance and develop relations with the Mediterranean in the same manner in which the present EU members have done.

In the framework of the Greek Presidency, he underlined that issues concerning democracy, human rights and justice and home affairs would be priority areas because they affect the daily lives of European citizens. One area the Greek presidency considers a particular priority is financial support for the Barcelona Process to make it visible to the citizens of the North and South. It also wants to work to eliminate from the security debate all racist and xenophobic connotations. In this respect, he underlined that EMHRN could make an important contribution to the human rights debate.

Panayote Dimitras, *Greek Helsinki Monitor*, took over from the representative of the Greek Foreign Affairs Minister. He underlined that the General Assembly of EMHRN was being held at a critical moment and in a critical country. He asserted that on no occasion could economic development take priority over human rights or democracy. He also said that a fair amount of false thinking had to be cast aside, such as the notion that human rights, notably the rights of minorities, contributes to destabilisation, and the idea that combating modern terrorism means having to restrict freedoms. He stated that no country could benefit from long-term stability and lasting development, or become or remain an open democracy and eradicate terrorism, if it didn't respect rights in their entirety.

He then brought up the issue of internal problems within the EU, referring to the « nouveaux pauvres [new poor] », migrants and refugees, Roma and Tziganes etc. Within this framework, he underlined

that Greece represented a critical case in particular because of the serious and frequent violations of the rights of foreign detainees in Greece, especially in the detention centre at Athens airport. The General Assembly issued a declaration on this issue (see Appendix).

Finally, Theocharis Papamargaris, *Greek Committee for International Democratic Solidarity*, stressed the fact that the General Assembly must focus on three major issues in particular: the question of Palestine and the non-observance of the principles of international law, the question of migrants and refugees in Greece and other European countries, and the erosion of democratic rights and freedoms in Europe in the wake of the events of 9/11.

2. POLITICAL REPORT FROM THE PRESIDENT OF THE EMHRN (FRIDAY 14TH JUNE)

The first day of the General Assembly began with the opening address from the president of the EMHRN (see appendix 3), who spoke about the main achievements of the Network, its weaknesses and insufficiencies and the action it might take in the medium term. Concerning the Network's achievements, he underlined that it had undeniably made progress as a regional organisation and gained much greater visibility with South and North governments. In his opinion, the Network's progress could be seen on different levels: firstly, the structures of the Network have been reinforced with the creation of thematic working groups, a management group and the opening of the Brussels office; there was also the diversification of sources of funding and the setting-up of a financial control. Secondly, human rights protection work had continued, notably concerning Palestine and supporting human rights defenders. Finally, human rights promotion work had progressed on two levels: guarantees for human rights had been promoted (justice, women's rights, refugees and migrants and socio-economic and cultural rights) and so had human rights education.

He then spoke about the insufficiencies and limitations of the Network, the fact that the General Assembly had not met as frequently as the statutes required, the necessary revision of the statutes, the gaps in communication, the limited participation of members in regional activities, the lack of a concrete role for the Network in protecting the rights of migrants, the lack of consultation and follow-up in the dialogue with governments, and finally, the paucity of reports flowing between the Network and its members.

To conclude, he recommended that the Network re-orientate its activities as below.

The Network should: develop its action to promote a just peace in the Middle East and protect the rights of Palestinians; increase its footholds in the partner countries in synergy with its members; develop its protection work in the North vis-à-vis migrants and foreigners; establish an action plan for human rights education; and finally, increase its visibility on the regional level and in the Barcelona partner countries.

3. FUTURE WORK PERSPECTIVES FOR THE EURO-MEDITERRANEAN REGION: THE IMPACT OF THE EVENTS OF 9/11 AND THE SITUATION IN PALESTINE, AND THE ROLE PLAYED BY THE EUROPEAN UNION AND THE BARCELONA PROCESS.

The first session was opened by Eva Norstroem, who underlined that this General Assembly was not about elections; its main objective was to build upon the current action plan and focus discussion on the content of work in order to clarify, identify and prioritise the main issues and activities that will guide the Network's work in the future. This suggestion carried three implications: firstly, the Network's activities must be examined in context, taking into account the challenges it has to confront. Secondly, the work carried out must be appraised. Finally, priorities and decisions must be settled for the period to come, and for this reason the first session would include two contributions by Driss El Yazami on the future human rights work in the Euro-Mediterranean region in the context of the war on terrorism.

Driss El Yazami presented a summary of two papers, one dealing with the impact of 9/11 on civil liberties in Europe, the other dealing with the situation in the South and the opportunistic use of terrorism (see Appendix 5a and 5b). During the first session of his contribution, he underlined that many NGOs in the world were afraid that, in the wake of 9/11, civil liberties would be restricted under the pretext of combating terrorism. Some of these fears soon appeared to have been borne out when the principal European States adopted numerous anti-terrorist measures. In particular, France, Germany and Great Britain - three countries which already had specific terrorist legislation at their disposal - reinforced their legislation after 9/11. The new measures clearly restricted the liberties of all citizens and particularly those from the poorest classes and immigrants (3/4 of immigrants in Europe are in these three countries). At the European level, it's certain that the events of 9/11 greatly spurred the development of common legal policies and led to reinforced co-operation between the police and investigative services amongst the fifteen Member States. This developing co-ordination could prove a threat because it is not the subject of any public debate.

During the second part of his contribution, he showed how the events of 9/11 came just at the right time for regimes in the South and the East to legitimise flagrant attacks on liberties and obtain explicit agreement with Western states over their repressive policies. The official discourse of these regimes stresses the fact that these states have long been confronting terrorism and that Western governments didn't heed their warnings, even going so far as to shelter some terrorists. However, while it may be certain that opposition groups inspired by Islam have taken up arms these past few years in countries such as Egypt and Algeria, resulting in unquestionable attacks on the most basic rights - the right to live - it is important to define precisely what is understood by terrorism. It is also important that the aforementioned fight against terrorism be conducted within the framework of international norms. From a vague and imprecise definition of terrorism, the Arab Convention for the suppression of terrorism has put numerous measures in place aimed at strengthening co-operation between the police and the judiciary. The quasi-systematic use of torture, the widespread practice of secret detention, the strict control over the judiciary by the executive powers and the existence of special courts in several countries in the region, which in some cases have been under a state of emergency for decades, all leads one to fear the worst.

Bahey El Din Hassan also spoke about the impact of 9/11 on human rights. He asserted that the war against terrorism had not achieved its objectives but had succeeded in attacking human rights, and beyond that, democratic values. Here he spoke about the International Conference on Terrorism and Human Rights which was held in Cairo on 26 - 27 June, 2002, in co-operation with EMHRN and the FIDH. This was an opportunity to examine responses from the human rights movement to the events of 9/11. He presented the principal conclusions of this conference. The international community had been failing to respond adequately to terrorism for many years, notably because the South had been increasingly marginalised by the North, and because of the double standards in matters of foreign policy and human rights. In the wake of 9/11, the human rights movement is henceforth confronted with numerous dangers, including arbitrary detention, trials in military courts, expulsion of supposed terrorist sympathisers and deterioration of the situation in Palestine.

Faced with this situation, the following suggestions were made: the international community should ratify the statutes of the International Criminal Court and establish a United Nations Convention against Terrorism which will result in as precise a definition as possible of terrorism. It should also tackle the deep-rooted causes of terrorism and seek to promote social and economic equality. As regards human rights organisations, two principal recommendations were made: the need for an international human rights coalition to counter-balance the Coalition against Terrorism, on the one hand, and the need to review and revise the strategies of the human rights movement and to intensify its activities on the other. As regards the Network, this would mean revising strategy vis-à-vis the Barcelona Process, which essentially puts the emphasis on economic questions.

Debate

During the debate which followed, a number of points were raised. Firstly, numerous participants stressed the fact that the campaign launched against terrorism had given certain countries the right to attack others whilst the UN should have played and must play a role. It was asserted that in the North, terrorism represented an excuse to restrict freedoms, whilst in the South it gave oppressive governments the opportunity to promote extremely worrying ideas about human rights. It was also

underlined that the coalition against terrorism had diverted attention towards terrorism and security issues whereas hitherto it had focused on human rights violations in the region. In this respect, it was underlined that thought must be given above all to this very hazy notion of terrorism.

It was also asserted that, in certain quarters, the events of 9/11 represented a good opportunity to reaffirm that human rights were not important. It was underlined that the events had further advanced three problematic areas in Europe: the development of an anti-Islamic, anti-Muslim and anti-foreigner discourse; ultra-nationalism and religious fundamentalism; and all-encompassing security measures. It was observed that there was a real crisis of democratic values in the Western world, which necessitates attacking inequality, injustice, economic, social and cultural discrimination in the North, as in the South.

Nevertheless, it was asserted that it was important not to give up trying to establish dialogue and co-operation with governments so as not to risk increasing the gulf between human rights organisations, governments and international organisations. There was even mention of the importance of developing a dialogue with American organisations fighting human rights violations. In this perspective, it was asserted that the Network represented a unique platform for developing a North-South dialogue and that it had a duty to reaffirm the importance of observing human rights, pointing out that the fight against terrorism can be conducted perfectly well within the framework of human rights norms. Indeed it was pointed out that these norms were not born within a framework of peace but precisely during a period of conflict, and that they represented the delicate balance between the protection of individuals and the protection of societies.

Equally, it was underlined that the human rights movement itself did not entirely understand the substantial issues surrounding terrorism, beginning with the definition of terrorism. The fact was stressed, however, that in this new context, new strategies would probably have to be envisaged.

Proposals of the GA

In the current context, marked by the impact of the events of 9/11, the General Assembly of the Network made the following recommendations:

- The Network should help promote an international coalition for the protection of human rights.
- The Network should support initiatives linked to the International Criminal Court.
- The Network should draw particular attention to the effects of 9/11 on the rights of the Palestinian and Kurdish peoples.
- The Network should examine the new climate carefully, understand the effects upon its activities, and think of new strategies.
- The Network should also endeavour to promote the human rights agenda within the framework of the Barcelona Process; it should work to enrich its content and to analyse concretely the national and international initiatives undertaken, stressing respect for Article 2 of the Association Agreements in particular.

4. PRESENTATION OF THE ANNUAL REPORT AND THE FINANCIAL REPORT

The second session, presided over by Mr. Bennani, was devoted to the presentation of the annual report of activities and the financial report.

To begin with, Kamel Jendoubi presented the annual report of activities (see the second part of the report). Firstly, he explained that this annual report was organised according to the action plan and therefore comprised on three headings: regional mechanisms, thematic questions, and issues by country. He then listed the activities carried out under each heading. He pointed out that the Network didn't seem to have advanced very far on the question of regional mechanisms, though he underlined the importance of the seminar organised in Brussels in November, 2001, on the MEDA Programmes and the human rights implications of European aid for the Mediterranean partners.

Regarding thematic activities, he spoke in particular about the initiatives taken in the following areas: justice, with the organisation of a conference on access to justice in Uppsala in April, 2002, and the creation of a working group on justice; women's rights, with the establishment of a report and the organisation of a seminar directly prior to the General Assembly; migrants and refugees, with the organisation of a conference in Trieste in December 2001; human rights education, with the forthcoming publication of a collection of human rights texts and the construction of the Internet site; and finally, self-determination and the rights of refugees, with the organisation in September, 2000, of a mission and publication of a report on the situation of Palestinian refugees in Lebanon and Jordan.

Regarding activities by country, he underlined that the Network had mainly focused on two countries given priority consideration because they illustrated perfectly the weaknesses of the Partnership, namely the Occupied Palestinian Territories and Tunisia. In both cases, it was noted that the EU Member States showed little enthusiasm for invoking the human rights clause of the Barcelona Declaration and Article 2 of the Association Agreements, signed with Israel and Tunisia respectively.

After the presentation of the annual report, Nazmi Gür presented the financial report, drawing on the two financial documents contained in the appendix (4). Firstly, he presented a table of resources, pointing out that the majority came from the European Commission (81% in 2000/ 77% in 2002). However, he did underline that the Network was on the right track to becoming less dependent on the Commission by seeking other sources of funding. In total, for the year 2000-2001, the Network received around 1,5 million Euros.

He then described the Network's expenditure for the same period. This was 914 000 Euros. Of this amount, 30% went to organisation of EMHRN, 11% to activities by country, 16% to activities by theme and key activities, 35% to administration of EMHRN and 8% to administration of the Secretariat.

He then reviewed the provisional budget for the year 2002-2003 (see appendix 4c), stressing that the Network had to observe the 7% budget limit for administration.

Finally, he spoke about the fact that there had been an audit for the first time. Indeed because EMHRN had acquired its formal independence vis-à-vis the Danish Centre for Human Rights, from now on it had to have an annual audit and present a report of its expenditures in accordance with the contract with the European Commission. This audit therefore covered two years. Nazmi Gür underlined that none of the comments contained therein was truly negative, except on the subject of the accounting system, which should no longer depend on the Danish Centre for Human Rights but become fully independent.

5. DISCUSSION AND VOTE ON THE ANNUAL REPORT AND THE FINANCIAL REPORT.

During the debate which followed, the participants discussed the opening address, the annual report and the financial report.

In general, the participants stressed that the Network represented a unique platform for North-South dialogue and for the development of a generalised awareness of the situation in the South and East Mediterranean. In this respect, it was asserted that the Network represented a chance for the North to hear voices from the South, whilst the South benefited greatly from having somewhere in the North to relay their human rights demands and to denounce human rights violations in their countries. Belonging to a Network gave their denunciations more credibility and enabled them to exercise greater pressure on their governments. It was underlined that the Network thus represented an important opportunity for the smaller organisations.

A number of participants observed that the creation of a Brussels office had been particularly beneficial here because it had facilitated the development of lobbying activities within the EU and co-operation with other NGOs and international organisations. Nevertheless, it was also underlined that the action plan for the Brussels office needed to be refined.

During the debate, a number of problem issues were raised. Firstly, numerous participants underlined that the annual report of activities did not give enough prominence to members' contributions to the activities of the Network. In particular, the issue of voluntary work carried out by members of the executive committee came up, and thought was given as to how the collaboration and financial burden this represented could be recognised adequately. It was thus suggested that the report should give details about each member's participation in the activities of the Network so that everyone would have a clear idea about the participation of each organisation and so that there would be no misunderstanding or the false impression created that certain organisations were being favoured to the detriment of others. It was underlined that it would help if the members could pass on a report of their activities to the Secretariat, as is stipulated in the statutes.

At the same time, a number of participants stressed that it was important to re-think relations between the members and the executive committee and the secretariat because many felt that there was a lack of communication/feed-back between the different groups. In particular, the role of members was brought up and the fact that they too had a responsibility within the Network, notably to propose activities and comment on the texts, reports etc. that they received from the Secretariat and the executive committee. It was pointed out, for example, that few members replied to appeals and that this would require some thought in the future. Some of the participants observed that members had to be worthy of their presence within the Network. Thus it was recommended that the activities of members be discussed during the next General Assembly. It was also suggested that an internal list and a discussion forum should be set up which would enable members to communicate with each other directly without having to go through the secretariat; this would also help members to integrate more and encourage the development of South-South activities, for example.

Meanwhile, it was also underlined that the Network sometimes tended to neglect its members and deal more with the big organisations and governments and work more in certain countries than others. On this point, however, a number of participants pointed out that the Network was following priorities established by the action plan, which therefore explained the number of activities undertaken in relation to Tunisia and Palestine. However, it was underlined that activities should be strengthened in relation to the Kurdish question especially, and also in relation to countries such as Libya, Syria and Jordan. It was pointed out that in Jordan there had been a lack of response from the Network when the state security law was approved; the question also came up as to why more generally the Network sometimes tended to follow too much what was « fashionable » without working out any precise strategy. On this point, however, certain participants replied that the Network had clearly developed a strategy and strategic ways of thinking - on the basis of which all its actions were taken.

The question of organising missions to different countries was also brought up. It was suggested that the Network should re-examine its strategy as regards procedures governing the selection/identification of experts for the missions, as well as the reports, activities in general and seminars. However, it was underlined that the missions had in most cases proved very useful for the local organisations because they were able to profit from the attention drawn to the internal situations of their countries; they benefited from greater visibility and were afforded promotion through the international media - which would never have happened in the case of national organisations alone. Meanwhile, it was pointed out that the missions were in fact very useful when it came to putting pressure on the South and East governments of the Mediterranean and helped improve the quality of lobbying with respect to governments in the North.

More generally, questions were raised about the strategy of the Network and its objectives: should its activities and the activities of its members be encouraged? Should it deal with all the issues or only select the most important and pressing ones? Should it preserve its present status as a network or become an NGO like others? On this last question, the participants underlined that the Network must preserve its specificity and structure, even if a re-think was needed regarding the roles of the secretariat, executive committee and its members in order to consolidate the organisation.

It was pointed out that this exchange of ideas and debate was important. The fact was stressed that not everybody had to adopt a similar position and share a similar point of view; what mattered was that each organisation preserved its specificity whilst sharing the same vision for human rights and the same enthusiasm.

In addition, numerous participants stressed the issue of the visibility of the Network's activities and the lack of external promotion of the Network. A number of suggestions were made as to how the communication strategy could be developed and reinforced. It was suggested that well-known human rights experts, or artists, writers etc. could be identified and approached - they could play a galvanising role and draw attention to certain events. There was even talk of a photograph album promoting the activities of the Network.

The importance of developing relations with the media in general, and the European media in particular, was also underlined as a way of bringing more pressure to bear on the EU and the Member States. However, it was also pointed out that the media did not constitute a « miracle solution »; thought must be given to the relations the Network should have with the media.

Vote on the Annual Report and the Financial Report².

The annual report was adopted with 28 votes in favour, 1 against.
The financial report was adopted with 28 votes in favour, 1 against.

6. RATIFICATION OF NEW MEMBERSHIP AND CANCELLATION OF MEMBERSHIP

The executive committee proposed ratifying the membership of the following organisations and people:

Ordinary Members:

Adalah, Israel

Public Committee against torture, Israel

SOLIDA France-Lebanon

Rights and Freedom Association for Cyprus, Northern Cyprus

International Association for the protection of Human Rights, Southern Cyprus

Associate Member :

ACSUR Las Segovias, Spain

Individual Members:

Caroline Stainier, Belgium

Per Stadig, Sweden

All the candidates were present and their membership in EMHRN was ratified unanimously.

Meanwhile the General Assembly unanimously adopted a proposal to cancel the membership of the following organisation:

European Union Migrants' Forum, which is no longer operational.

7. GENERAL PROPOSALS OF THE ASSEMBLY

Two issues were addressed:

- Organisation;
- Content.

Organisational aspects.

- Communication strategy: The Network should seek to reinforce its communication tools as well as its internal modes of communication.

² 41 ordinary members were present in Athens

- Visibility: The General Assembly expressed the desire to strengthen the visibility of the Network.
- Internal regulation and Statutes: The Network should finalise its internal regulation concerning the executive committee and the Secretariat. It should also revise the statutes so that the legal structure of the Network keeps pace with its development. Particular attention should be drawn to the issue of adopting new members.
- The Network expressed the wish to preserve its network status and not become an international organisation.
- The Network should seek to develop the sense of belonging and compatibility amongst the members. For their part, all members should be willing to contribute to the Network according to their abilities.
- The Network underlined that its members represent a coming-together of resources and expertise across the region - they should rally all the more after the events of 9/11.

Content

- The Network should seek to favour dialogue between religions and civilisations.
- The Network should adopt a strong policy on the Kurdish question.
- The Network should attempt to reinforce access to funding for NGOs
- The Network should keep in mind its link with the Euro-Mediterranean Partnership and focus on using and exploiting the opportunities afforded by the mechanisms of the Euro-Mediterranean Partnership.

8. DEVELOPMENT OF THE EMHRN AND THE EURO-MEDITERRANEAN PARTNERSHIP

This session was cancelled for lack of time because the discussion during the three preceding sessions was so intense. It was to have been presided over by Morten Kjaerum and to have included a presentation from Colm Regan and comments from Saeda Kilani.

9. REPORTS FROM THE WORKSHOPS

The workshops took place during the morning of the second day. The plenary session, when the reports of the workshops were presented, took place in the afternoon and was presided over by Peter Noorlander.

A. Workshop on human rights education

The workshop was presided over by Colm Regan and based around a document prepared for the General Assembly (see appendix 6A).

During the workshop, participants gave presentations and discussed work carried out. During the discussion, a number of common areas were raised:

- The desire to promote the integration of human rights education in educational programmes at all levels, as well as at the level of informal education for young people, unions, women's organisations etc.
- An interest in gathering information and exploring methodologies in the area of human rights education, for example, vis-à-vis illiterate populations.
- An interest in compiling and seeking out information on human rights education which could be used in different educational and cultural contexts.
- The need to identify what can be gained from mutual learning
- The need to examine and share experiences, needs and challenges in the area of human rights training.
- The desire to promote a human rights culture within the organisations present.
- The desire to undertake an analysis of needs within the target groups.

- Needs as regards the developing and reinforcing expertise within NGOs.

Following on from this, the participants identified and agreed upon the principal activities to be carried out in the next 12 months:

- Publication of a collection of human rights texts in the Network's three languages;
- Further development of the Network's Internet site and electronic resources;
- Publication of an annotated guide to Internet sites dealing with Palestine and associated issues;
- Organisation of a conference or workshop for sharing experiences and working methods in specific contexts (teachers, women, diplomats, young children etc.);
- Creation of traineeships and trainee-exchanges amongst different organisations;
- Compilation and probable publication of documents on the theme of Islam and human rights aimed at breaking down Europeans' stereotypical view of Islam.
- The working party will develop a human rights education action plan for the medium and long term and submit it to the next General Assembly with clear objectives, a budget and a timetable.

The workshop did not make any special recommendations to the General Assembly.

Comments during the presentation of the report at the plenary session

The participants of the General Assembly returned to the issue of the existing prejudice and ignorance in Europe concerning Islam and Arab culture. They reasserted the importance of carrying out activities which promoted better understanding and dialogue between different religions and cultures, together with the importance of studying the relationship between religions and human rights.

B. Workshop on the Euro-Med Foundation for human rights

During the General Assembly, members conducted a series of consultations which lead to the creation of this workshop on the Euro-Med foundation for the protection and promotion of human rights organisations in the Mediterranean region. The aim of the workshop was to support a fact-finding mission to Morocco, Algeria, Lebanon and Jordan that Khemais Chammari and Jacob Gammelgaard would be undertaking just after the GA to determine the feasibility of a Euro-Med Foundation. The conclusions and recommendations from the mission will be drafted into a report that will then be presented to the executive committee, which will make a decision on the feasibility of the foundation. The workshop was presided over by Khemais Chammari and Jacob Gammelgaard and was based on a document prepared for the General Assembly; its starting point was the terms of reference for the mission (see appendix 6B).

The workshop began with a presentation from the two experts. They recalled that the project was born out of a recommendation included in the action plan adopted at the 4th General Assembly (see second part of the report); this recommendation was to set up a Foundation for human rights defenders in the Euro-Mediterranean region.

They then gave a talk dealing with six points. They specified that these were questions and themes they wished to discuss with the participants during various consultations.

These points concerned:

- The role of such a Foundation. What specific contribution could it make in relation to other existing Foundations? This would mean considering the nature and mandate of other Foundations working in the field alongside other criteria: human, material and logistical support, proximity, and efficiency (methods of identifying and investigating cases).
- Sources of funding. This involves taking stock of the possibilities and evaluating the degree of flexibility and the ability to respond to emergency; it also involves examining the question of confidentiality and the possible risks for the beneficiaries.

- The institutional political context. This includes legal and institutional issues, harassment from the police and judiciary, access to the media, the possibility of capacity building etc.
- Domains of intervention of such a Foundation. The needs of human rights defenders must be studied and the different issues examined: needs in protecting and promoting regional exchange, the functioning of organisations, affiliation criteria and protection of members, access to sources of information and the spread of information, and needs in terms of training and equipment.
- Principal directors of the Foundation. The work of existing structures must not be duplicated; activities must be based on the principal of exclusivity.
- Target activities. This involves responding to the following questions: what is the aim? Who will benefit? How? Does action have to be limited to certain human rights?
- Target groups.
- The capacities of the beneficiaries: to what extent do they soak up funds? How might they be encouraged to manage their funds better?
- Code of Conduct of the Foundation. What are the ethical constraints (for example, will there be a clause of non-violence)?
- Modalities of good governance of the Foundation. The question of transparency must be examined, along with its relations with the Network (political and financial independence?) and the issues of impartiality and representativeness.

During the discussion which followed, the participants of the workshop raised various points. They underlined the importance of a Foundation which enabled numerous organisations in the region to gain access to funds which had hitherto been inaccessible. **Some participants inquired about the exact aims of the initiative.** They stressed that it was important to determine precisely what type of institution the aim was to create: indeed, there are significant legal differences between, for example, a Foundation, Fund and Network. The participants also stressed that it was important to determine the type of relations that would be established between the Foundation and the Network. Meanwhile there were questions as to where the headquarters of such a foundation would be located and the consequences of the Foundation being funded by a single institution.

They also stressed the need to avoid duplication with other institutions, together with the fact that information and research needed gathering on the international financial institutions and national and regional institutions in both the public and private sphere.

They also stressed that responding to emergencies should not be an end in itself for the Foundation and that this must not become its exclusive task. Management training must be integrated - capacity building, for example. A number of participants felt that it was important to set an upper limit on the amount of aid accorded and to fund small projects above all.

Finally, numerous contributions revolved around which authorities would be in charge of the Foundation and the issue of the transparency and confidentiality of the support lent by the Foundation.

Discussion during the presentation of the report at the plenary session.

During the discussion at the plenary session, questions were raised about the relationship between the Network and the Foundation, notably relating to the period of supervision of the Foundation by the executive committee of the Network insofar as this **has been proposed** by the project's backer, the Danish Foreign Affairs Ministry. There were also questions about the fact that the Foundation would be based in Denmark; notably, there was the fear that it would be too close to the Network and also too close to its backer.

The experts then gave further information, explaining in particular that the Foundation was a Network initiative supported by the Danish Foreign Affairs Ministry and that there were numerous practical advantages to the Foundation being based in Denmark. In addition, the terms of reference binding the Network to the Ministry stipulate that the Foundation should become independent from the Network when it is fully up and running.

C. Workshop on justice

The workshop on justice was presided over by Abdelaziz Bennani. The issue of freedom of association was also discussed.

The participants worked on the basis of documents elaborated by the working group on Justice. This group had met together earlier in the year and produced a reflection document underlining the perspectives and axes of work on the theme of justice within the framework of the Network (see document in the appendix).

Discussion within the workshop was particularly rich and constructive. The reflection and orientation issues discussed by the workshop revolved around two major points:

- The need to establish the current situation of justice in the region covered by the Network.
 - The current situation regarding justice in the countries in the region. On the one hand, this involves gathering information about the work of NGOs members (in the past, present and future with bibliographic references to existing reports/works). This would be done by the associate members in each country, capitalising on the richness of the Network. On the other hand, it involves evaluating the current situation. This would be done with regard to international norms on fair trials - from the moment of arrest to imprisonment. It would take into account the texts (Constitutions, laws etc.), practices (application of the texts, organisation of structures - a special reference to corruption was made in the plenary session), special courts for the military and courts linked to a state of emergency. Particularly scrutinised would be all forms of discrimination (women, minors, foreigners etc.) that were observed across the various points dealt with by the evaluation.
 - Follow-up would be ensured by the working party with the aim of holding a seminar, drawing inspiration from the experience of the Women's Rights seminar.
 - The current situation regarding activities and programmes implemented by the EMP. The workshop participants agreed that little, if any, information was circulated about the activities undertaken by states or within the framework of the bilateral programmes.
 - Information-gathering could be carried out by the Network's office in Brussels

- Observation of trials.
 - Apart from observing the major trials - notably of human rights activists - this would involve observing trials and focusing upon the routine - seeing how procedures are carried out and how justice is dispensed. It would also involve deciding what training tools are necessary so that local people can observe trials. Various teaching tools should then be finalised, including, notably, a collection of index cards detailing case precedents or the opportunity for observers to consult legal texts.
 - This work should be carried out within the framework of the working group of justice.
 - The working group on justice is looking for more volunteers amongst the member associations.
 - The issue of freedom of association, particularly in Egypt, Jordan, Tunisia, Morocco and Turkey was also brought up and the workshop presented a main recommendation to the General Assembly: The Network should contact Egyptian member organisations, suggesting that they draw up a report criticising the new law on associations. This report would lead to the organisation of a workshop to facilitate the lodging of a complaint at the Egyptian Constitutional Court.

Discussion during the presentation of the report at the plenary session

During the discussion which followed, the working party was asked to consider the issue of protection for lawyers and judges and their families. The case of Judge Mokhtar Yahiaoui's family in Tunisia was cited.

D. Workshop on migrants and refugees

The workshop was presided over by Eva Norstrom and based on the conclusions of the Trieste Conference (see appendix 6D). She suggested organising the meeting into two phases.

Firstly, the group tried to identify and examine the situation regarding immigration and refugees and the human rights implications in the Euro-Med region. In particular, the participants sought to establish the factors which had brought about the existing incoherence and contradictions regarding the protection of migrants and refugees and human rights protection.

- The first factor that was identified concerned laws at the European level which differed by country and the scattered responsibilities amongst a large number of authorities working in the field. For example, in Greece, the granting of a permanent residency permit depends on a very complex and difficult process of obtaining a large number of documents from the public authorities.
- The second factor concerns the increase of racism and xenophobia which makes the smooth integration of migrants and refugees into society very difficult.
- In certain countries, such as Turkey, there are numerous organisations involved in and linked to the trafficking of migrants towards Europe.
- Countries in the South are also familiar with the phenomenon of illegal immigration. Certain immigrants or refugees are obliged to go to undemocratic countries, as in the case of Chad and Libya.

The second part of the workshop was devoted to identifying the mandate of the Network. It was stressed that current practices in the area of immigration policy and refugees are based on excluding these populations from any protection or integration.

It was suggested that this tendency should be fought against and that attempts should be made to influence the development of a just and viable policy.

Recommendations of the workshop to the General Assembly

- Creation of a working group with a mandate defined by its members which will report back to the executive committee and the General Assembly.
- The work carried out should keep to the Trieste document and the vision defined therein.
- The Network should seek to influence the media to present the situation regarding immigration and refugees correctly and honestly so that public opinion does not turn against immigrants and refugees.
- The Network could lend support to regional NGOs so they can integrate issues of migrants' rights into their work. Areas of intervention could involve education, women's rights, women refugees and children. This could help strengthen the regional dimension of the Network's work.
- Report: participants decided that in order to follow up the discussion and make its conclusions more specific and concrete, it would be desirable to produce a report on the theme of migrants and refugees in the same way that a report was produced for the seminar on women's rights. The executive committee should appoint the person/s in charge of carrying out this report.
- The Network should lobby policy-makers working in the area of immigration, and in particular should develop a European policy and strategy which would incorporate organisations working in the field (migrants' organisations, unions, churches etc.) It is also important to lobby the European Parliament.

To conclude, the group decided that above all it was important to define the concepts that they were discussing, so that they knew what was meant by refugees, migrants etc. before undertaking any action.

Discussion during the presentation of the workshop's report at the plenary session

During the discussion which followed, the participants said that the question of Palestinian refugees in Jordan and Lebanon should remain a priority. The Network should seek to promote new legal and social protection mechanisms through modification of UN mechanisms currently in place.

Meanwhile, it was stressed that it was important to profit from the Greek Presidency of the European Union to lobby on immigration because of the particular sensitivity of this theme in this country.

It was then underlined that the future working party should focus on issues where the Network could make a worthwhile contribution, such as in South-South migrations or the process of readmission to the European Union.

Finally, the General Assembly approved a motion presented by the Italian Council for Refugees which was formulated as follows: « *The Italian Council for Refugees, having been approached by the Network to collaborate actively in the area of migration and asylum in the context of human rights, co-organised the Trieste Conference in January, 2002, in a spirit of further promoting the goals and objectives of the Network*».

E. Workshop on Palestine

The workshop was presided over by Khader Shkirat. The discussions of the workshop were based on the draft document written by the working group (see appendix 6E), which was approved by the participants with the addition of a few remarks, included in the report below.

Firstly, the participants recalled that Israeli military occupation remains the underlying problem behind violence in the Middle East. It's the deep-rooted cause of the situation in the Occupied Palestinian Territories, including violations of human rights and humanitarian law. The inability to end the occupation and the intensification of the crisis means that the following are necessary:

- an effective, independent international presence in the Occupied Territories to protect the lives of civilians (on both sides equally) in line with international humanitarian law.
- strong initiatives in favour of a just peace, based on international human rights norms and regulations.
- Israeli withdrawal from the Occupied Palestinian Territories led by the application of the UN resolutions and international humanitarian law.
- the European Union should clearly support the right of the Palestinian people to self-determination and oppose occupation and discrimination in line with international law. The European Union should preserve the credibility of its human rights commitments and its support for international humanitarian law by suspending the Association Agreement signed with Israel until it observes its international obligations to humanitarian law (as the European Parliament recommended on 10th April, 2002).

The participants also expressed their concern over the situation of Palestinian citizens in Israel and Palestinian refugees.

Secondly, the workshop presented the activities it intended to undertake in the future.

- The situation on the ground regarding human rights violations should be observed. This means sending missions and distributing information by human rights organisations on the subject of human rights violations and war crimes. Information would need distribution in Europe.
- It will reinforce its activities aimed at ending impunity in Israel. It will undertake a feasibility study for a court to judge human rights violations in the Occupied Palestinian Territories.
- It will work to reinforce the capacities of existing organisations in Palestine and Israel, and encourage the European Union to adopt a stance on Palestine based on humanitarian

principles and human rights. It will demand that Article 2 of the Association Agreement be applied, and ask for suspension until Israel satisfies its international obligations.

- The working group will establish a network of links with development agencies, religious and humanitarian aid organisations, international human rights organisations and solidarity groups, and will promote a vision for peace based on human rights and humanitarian law.
- The working group will campaign on the issue of Palestinian detainees and demand, in particular, the immediate release of Marwan Barghouti.
- The work party should strive to make it understood that criticism vis-à-vis Israel has nothing to do with a rise in anti-Semitism.
- The working group will base its action on the concept paper adopted during the workshop.

The participants at the general assembly applauded the workshop's report.

10. DISCUSSION AND VOTE ON THE FUTURE PROGRAMME AND BUDGET

The final session was presided over by Kamel Jendoubi. It began with a presentation from Omar Grech and Marc Schade-Poulsen, summarising the recommendations made on the first day of the General Assembly (see above).

Presentation of the future programme and budget

Following this summary, Kamel Jendoubi opened the debate, inviting participants to add their comments.

Firstly, it was stressed that relations between everyone in the EMHRN should be established on a new basis - relations between the executive committee and the members, relations between the members/secretariat and the executive committee, and relations between the members themselves.

It was then underlined that the Network must try to work more with journalists by inviting them to examine the human rights situation in the region and ensure that they are promoted. Similarly, *the network should communicate more information about the values, principles and dispositions of the Euro-Mediterranean Partnership and the projects carried out within the various Euro-Mediterranean countries.* It should not ignore the Association Agreements.

At the level of content, it was underlined that *the disappearance issue* should be added because it represented a dramatic reality for a great many people in the South, notably in Lebanon. The Network should therefore deal with the issue in the sense of memory and truth.

Finally, it was also underlined that the Network should intervene in cases of severe human rights violations in Libya.

Discussion of the future action plan and budget.

Finally, the subject of the action plan and budget for the forthcoming year was brought up. Kamel Jendoubi reviewed the outlines of the action plan approved in Marseille and said that the recommendations of this General Assembly would be integrated therein (general recommendations and the recommendations of the workshops). Similarly, he said that the future budget would be based on the one approved in Marseille and proceed according to the recommendations made by this General Assembly. He said that the recommendations formulated during the second day would be added to the recommendations of the first day, which had been presented. He then presented a brief summary of the recommendations from the second day, underlining that these could be organised into the two categories mentioned in the preceding session: organisational issues on the one hand, content of the action plan on the other.

Other recommendations by the General Assembly

Concerning the organisational issues, he again referred to the importance of *strengthening the Network's strategy of communication with the media*. This could prove extremely useful, particularly as regards the Israeli-Palestinian conflict.

Meanwhile, he underlined that members should not expect the secretariat to do everything. He stressed that *the Network should make use of its members, and try to make its activities and the activities of its members more visible to increase the dynamism of the EMHRN*.

Finally, he asserted that this wasn't just a question of developing and reinforcing relations between the executive committee and the members; *it was also a question of the members developing and reinforcing relations amongst themselves through an e-mail list and a discussion forum*.

Concerning the content of the action plan, he recalled that the participants had stressed the fact that *the EMHRN should give priority to issues relating to women's rights, and work more on the theme of economic, social and cultural rights and on the disappearance issue*.

Finally, he underlined that the issue of *freedom of expression* had largely been ignored by the Network and that it would be useful to approach journalists and even integrate them into the Network as members.

Debate

After this brief summary, he opened the debate, asking the participants if they had anything they wanted to add or comment upon.

During the discussion, it was underlined that the EMHRN must give some thought to the working methods it needs to adopt or modify in order to carry out all the activities mentioned during the preceding discussions. It was suggested that there were two possibilities: on the one hand, the Network could reinforce the secretariat in Copenhagen; on the other, it could adopt the method of leading offices, delegating certain tasks to certain organisations. It was underlined that the first solution was far from satisfactory because it would mean developing a great machine in Copenhagen. In any case, it was pointed out that this question needed debating in order to ensure the Network's consolidation and permanence.

Finally, the importance of the Kurdish question was stressed and a group of participants presented a declaration aimed at creating an EMHRN working party on the issue (see declaration in the appendix 9).

Following this discussion, Kamel Jendoubi briefly presented the budget of the EMHRN. He pointed out that the budget totalled 1 million Euros, which wasn't a very large amount, particularly for a Network working in three languages with considerable running costs (phone calls, travel etc.)

He presented the main budget items (see appendix 4C), underlining that the budget would be remodelled according to the recommendations of the General Assembly. In general, he pointed out that it was difficult to balance the budget, notably because of the regulation obliging the Network not to spend more than 7% of its resources on administration.

He underlined that this must be considered a draft budget and that it would be developed according to the programme carried out. Thus, after fixing the priorities, the budget could be examined; subsequently - thanks to the audit - it would be possible to follow the precise course of the various items.

He then proceeded to the voting for the action plan and budget.

The action plan was voted for unanimously.
The budget was voted for unanimously.

11. CLOSE OF THE GENERAL ASSEMBLY BY THE PRESIDENT OF THE EMHRN

During his closing speech, the president Mr. Bennani underlined that the EMHRN had matured and could lay claim to a number of achievements.

Mr. Bennani underlined that the 5th General Assembly had worked hard and said it was without doubt the most fruitful and constructive assembly of the EMHRN to date. He also congratulated the members on the quality of the debates and asserted his optimism for the Network's future. Finally, he thanked the Network's Greek members and the secretariat for organising the conference.

ANNEX 1: AGENDA OF THE 5TH GENERAL ASSEMBLY, ATHENS, 14-15 JUNE 2002

Thursday 13 June 2002

19.00-20.00

Official Opening of the AGM

Bank of Greece Employee Union, 16 Sina Street

M. Efthymiadis, Counsellor, General Secretariat of European Affairs of the Greek Foreign Affairs Ministry.

Mr. Theocharis Papamargaris, President, Greek Committee for International Democratic Solidarity (EEDDA)

Mr Panayote Dimitras, Greek Helsinki Monitor

Mr Abdelaziz Bennani, President, EMHRN

Friday 14 June, 2002

Bank of Greece Employee Union, 16 Sina Street

9.00-9.30

Opening of proceedings by Abdelaziz Bennani, EMHRN President: Political report.

9.30-12.00

Prospects for future work in the Euro-Mediterranean region: The Impact of Post-11th September events and the situation in Palestine, and the role played by the EU and the Barcelona process
Chair: Eva Norstroem, President SRC.

Presentations: Driss El Yazami; Vice President, LDH; Bahey El Din Hassan, Director, CIHRS.

12.00-12.30

Coffee break

12.30-13.00

Presentation of Annual report and Financial Statement.

Chair: Abdelaziz Bennani; Presentations: Kamel Jendoubi, CRLDHT, Vice-President EMHRN; Nazmi Gür, IHD and Member of the EC.

13.00-14.00

Discussion and Vote on Annual Report and Financial Statement.

Chair: Abdelaziz Bennani.

14.30-16.30

Lunch

17.00-18.30

The Development of the EMHRN and the Euro-Mediterranean Partnership.

Chair: Morten Kjaerum, Presentation: Colm Regan. Discussant: Sa'eda Kilani, Arab Archives Institute

Saturday 15 June 2002

9-13.00 Workshops

Hotel Royal Olympic

1. Human Rights Education, Convenor Colm Regan, Coordinator 80:20 Education and Acting for a Better World.

2. EuroMed Human Rights Foundation, Convenors: Khémais Chammari, expert consultant and Jacob Gammelgaard, expert consultant.

3. Justice. Convenor: Abdelaziz Bennani.

4. Migrant and refugees. Convenor: Eva Norstrom.

5. Palestine. Convenor: Khader Shkirat.

13.00-15.00

Lunch

15.30-16.30

Plenary sessions

Bank of Greece Employee Union, 16 Sina Street

Reports from the workshops.

Chair: Peter Noorlander, Article 19.

16.30-17.00

Coffee break

17.00-18.30

Plenary discussion, Future program and budget.

Chair: Kamel Jendoubi, Vice President. Summary of General Report: Marc Schade-Poulsen, EMHRN and Omar Grech, Coordinator, Malta Academy for Diplomatic Studies.

18.30-18.40

Closing remarks. Abdelaziz Bennani.

ANNEX 2: LIST OF PARTICIPANTS TO THE GENERAL ASSEMBLY OF THE EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK, ATHENS, 14TH-15TH JUNE 2002

Regular Members

Ghassan ABDALLAH
Palestinian Human Rights Organisation

Hussein ABU HUSSEIN
Arab Association for Human Rights

Mohammed Ouali AIT YAHIA
Ligue Algérienne pour la Défense des Droits de l'Homme

Wadih-Ange AL ASMAR
Soutien aux Libanais Détenus Arbitrairement

Antonis ANDANASIOTIS
Greek Committee for International Democratic Solidarity

Ahmed ARREHMOUCH
Espace Associatif

Abdelaziz BENNANI
Organisation Marocaine des Droits Humains, President of the EMHRN

Abdel Basset BEN HASSAN
Institut des droits de l'Homme

Bahija BEN HIBA
Citoyens des Deux Rives

Sihem BENSEDRINE
Conseil National pour les Libertés en Tunisie

Lina BEYDOUN
Foundation for Human and Humanitarian Rights

Ilektra CHATZIPANAGIOTOU
Greek Committee for International Democratic Solidarity

Mohieddine CHERBIB
Fédération des Tunisiens pour une Citoyenneté des Deux Rives

Daouaya DENDANI
Ligue Algérienne pour la Défense des Droits de l'Homme

Panayote DIMITRAS
Greek Helsinki Monitor

Eleftherios ELEFThERIOU
International Association of Human Rights in Cyprus

Said ESSOULAMI
Centre for Media Freedom, Middle East and North Africa

Kamel JENDOUBI
Comité pour le respect des libertés et des droits de l'Homme en Tunisie, Vice President of the
EMHRN

Bahey EL DIN HASSAN
Cairo Institute for Human Rights Studies

Driss EL YAZAMI
Ligue des Droits de l'Homme/FIDH

Eva FAKINOY
Greek Committee for International Democratic Solidarity

Celso GARBAZ
B'Tselem

Boudjema GHECHIR
Ligue Algérienne des Droits de l'Homme

Omar GRECH
University of Malta

Nazmi GÜR
Human Rights Association

Ahmed HASAS
Greek Committee for International Democratic Solidarity

Anna HANTZI
Greek Committee for International Democratic Solidarity

Christopher HEIN
Italian Council for Refugees

Hani HOURANI
Al Urdun Al Jadid Research Centre

Baktha JMOUR
Association Tunisienne des Femmes Démocrates

Demetra KASIMIS
Greek Helsinki Monitor

Morten KJAERUM
Danish Centre for Human Rights

Angeliki KOTSANTONI
Greek Helsinki Monitor

Jana KOURTOVIC
Greek Committee for International Democratic Solidarity

Stefan LÜTGENAU
Kreisky Foundation

Balkis MECHRI ALLEGUI
Ligue Tunisienne des Droits de l'Homme

Rabea NACIRI
Collectif 95 Maghreb Egalité

Ghayath NAISSE
Committee for Defence of Human Rights

Eva NORSTRÖM
Swedish Refugee Council

Abdullah OUALLADI
Organisation Marocaine des Droits Humains

Antonia PAPADOPOULOU
Greek Helsinki Monitor

Theocharis PAPAMARGARIS
Greek Committee for International Democratic Solidarity

Nafsika PAPANIKOLATOS
Greek Helsinki Monitor

Colm REGAN
80:20 Education and Acting for a better world

Leila RHIWI
Association Démocratique des Femmes du Maroc

Hussein SHABAN
Arab Organisation for Human Rights in the UK

Khader SHKIRAT
LAW

Antonio STANGO
Italian Helsinki Committee

Wassila TAMZALI
Collectif 95- Maghreb-Egalité

Susan VILLA
Tampere Peace Research Institute

Reyhan YALCINDAG
Human Rights Association (IHD)

Fady YARAK
Foundation René Moawad

Hayat Hussein YASAMSAL
Rights and Freedom Association

Claudio ZANGHI
Intercenter

Ali ZEIDAN
Libyan League for Human Rights

Ghada ZEIDAN
LAW

Associate Members

Anne Marit AUSTBØ
The Norwegian Helsinki Committee

Sara GUILLET
Fédération Internationale des Droits de l'Homme

Gaby JUEN
Amnesty International

Gilles MANCERON
Ligue des Droits de l'Homme- France

José MARTIN
ACSUR Las Segovias

Peter NOORLANDER
Article 19

Leon PEIJNENBURG
Human Rights Watch

Yves PRIGENT
Penal Reform International

Nicole WATSON
International Helsinki Federation for Human Rights

Individual Members

Madjid BENCHICKH
Professor of Law/ Professeur de droit

Anna BOZZO
University of Roma

Khemais CHAMMARI
Expert consultant

Saeda KILANI
Writer

Aktham NAISSE
Committee for Defence of Human Rights

Per STADIG
Lawyer/avocat

Caroline STAINIER
Lawyer/avocat

Mohamed TAHRI
Lawyer/avocat

Observers

Hafez ABU SA'EDA
The Egyptian Organisation for Human Rights

Layla AL-ZUBEIDI
Heinrich Böll

Joanne BOURKE
Organisation Mondiale contre la Torture

Ruth FARRUGIA
University of Malta

Jacob GAMMELGAARD
Rule of Law Consulting

Khemais KSILA
Ligue Tunisienne des Droits de l'Homme

Kirsten MAAS
Heinrich Böll

Kirsty MACDONALD
Bar Human Rights Committee of England and Wales

Francesca MALAGUTI
Mediterranean Institute

Ghassan MOUKHEIBER
Association pour la Défense des Droits et des Libertés

Daad MOUSA
Independent Lawyer

Isis NUSAIR

Nouria OUALI

Christina PAPADOPOULOU
International Rehabilitation Council for Torture Victims

Jon RUD
Norwegian Council for the Rights of the Kurdish People

Zoya RUHANA
Lebanese Council to resist violence

Natasha SHAWAREB
SIGI-Jordan

Aida TOUMA
Women Against Violence

Amneh ZOUBI EL FALAH
Union of Jordan Women

Staff

Leila DRAR
EMHRN

Sandrine GRENIER
EMHRN, Brussels

Marit Flø JORGENSEN
EMHRN

Laurence LE MOING
EMHRN

Sannie NIELSEN
EMHRN

Marc SCHADE-POULSEN
EMHRN

ANNEXE 3: POLITICAL REPORT PRESENTED BY THE PRESIDENT OF THE EMHRN, ABDELAZIZ BENNANI

Ladies and Gentlemen

Our Assembly is being held at the time when the cause of Human Rights is once again up against challenges of extreme gravity. Since the September events and for a number of months, massive violations against Human Rights have been made in the Palestinian territories, in the name of the fight against terrorism. Disregarding international law and peace agreements, the State of Israel has reoccupied an important part of these territories. Its army has committed crimes against humanity. If Human Rights defenders can only reprove and condemn the violence carried out against civilians, such a violence can in no wise justify the State terrorism against the totality of a people and the implementation of a collective responsibility. Just as it is impossible to equate the responsibility of the occupier and the occupied.

The dissolution of the United Nations mission, brought about by a resolution of the Security Council to investigate acts committed in Jenin, has illustrated once more the contempt of a state outside the law for the international community. Just as the refusing to receive a European delegation and the destruction of edifices in Palestinian territories thanks to credits accorded by the European Union, demonstrates how little credit Israel accords to the Barcelona process.

As we congratulate ourselves for the attitude adopted by the European Parliament in favour of the suspension of the association agreement with Israel, a measure requested by our Network and other NGOs, one must notice the dead end this process finds itself in, because of the obstacles drawn by Israel on the peace track. Before the persistence and the gravity of the violations committed, the absence of appropriate and dissuasive reaction from the European Union can only deepen the gap of incomprehension between the people of the region and compromise the future of the Euro-Mediterranean Partnership. Another challenge lies in the mounting racist and xenophobe movement and the adoption of legislation both repressive and contrary to the logic of the rule of law in a number of European countries. This negative development can only exacerbate extremism and fanaticism in Southern countries. Furthermore, there is a need for a detailed debate within the General Assembly about the new context of the Euro-Mediterranean Partnership and of our Network's action in the short and middle term. This is why we thought we ought to give priority to this debate. The general assembly will then have to evaluate the action taken during the last 18 months and to define the short term and medium term priorities, taking into account new constraints at international and regional levels.

As you have already had a detailed activity report, the present report will remind you very quickly of the main achievements of the Network, the blanks and insufficiencies as well as the action perspectives in the medium term.

Ladies and Gentlemen

Regarding experiences, the Network has unquestionably progressed as a regional organisation. It has acquired a great visibility at both the level of European institutions, as well as at a number of governments in the North and the South. The Network has reinforced the Human Rights movement in the region. In the domains of the protection and the promotion of Human Rights, its role has been strengthened. The progress of the Network can be seen at different levels:

1. The Network's structures have been reinforced during the last eighteen months. The Executive Committee has decided to create thematic working groups on human rights education and justice, as well as a working group on Palestine and another on Tunisia. The co-ordination of each group has been given to a member of the Executive Committee. These new structures allow the development of synergy between those responsible for the Network and its members. A management group made up of three Committee members has been formed to contribute to the improvement of the efficiency of the Network's action, together with the Executive Director and subject to the political prerogatives of the Committee. **The Brussels office** has been open since 1 September 2001 to assure the representation of the Network to the European institutions, to facilitate contact between the latter and the Network's members, and to co-ordinate its action with the international NGOs. The co-ordinator of that office carries out this function with the administrative responsibility given to the executive director and the political responsibility to the vice-president.

Within eight months this office has unquestionably increased the visibility of the Network vis-à-vis the European institutions and had its influence on the decisions of these institutions. It has also facilitated the contact between the latter and the members.

The diversification of sources for the financing of the Network is on the right track. Whilst our budget was financed almost totally by the European Commission, the quarter of the budget is really made up of donations from independent foundations and a few European governments. As another guarantee of the transparency of the management of the Network, the financial control has been instituted since May 2001. It is assured by an international audit. The guide on Human Rights in the Barcelona process has been translated into Arabic. The majority of the Network's documents are available in the three official languages. Thus, the linguistic equilibrium between the Network's three official languages is real.

2. The action of Human Rights protection has been pursued

Concerning Palestine, and in particular following the aggravation of the situation, the Network has given this question priority. Besides the report on the Palestinian refugees in the Lebanon and in

Jordan, the working group set up within the Network but enjoying a wide autonomy, has been reinforced by the participation of a number of NGO representatives and other personalities. It has held a number of meetings, the last one in Geneva, last March, apart from the commission session on Human Rights. This group has contributed to the reinforcement and to a better co-ordination of the international movement of Human Rights in favour of the Palestinian cause.

Regarding the support of Human Rights defenders, the Network has taken action either on its own or in collaboration with the international NGOs. A number of missions have been mandated between December 2000 and March 2002, on the occasion of harassment of human rights defenders. Memorandums on the general situation of human rights have been presented at Association Council meetings or on the occasion of the signing of new association agreements. A project of a Euromed Foundation for Human Rights defenders is being worked out to provide them with a financial support with specific conditionalities. This project that will be discussed at a workshop and will materialise in the coming months. I pay special tribute to both absent and present militants amongst us, who have been the object of all sorts of detention and intimidation, and amongst others, Sihem Ben Sedrine, President of the CNLT, Khader Skhirat, Director of LAW in Jerusalem, and Nazmi Gur, member of the Human Rights Association (IHD) in Turkey.

The Network has continued its contribution to the reinforcement process on legal guarantees of the freedom of press in Jordan and public rights in Morocco on the occasion of the recent revision of the legislation in force in that country. Finally, the Network has supported the Danish Centre for Human Rights when the new Danish government to measures to compromise its existence as an independent national institution.

Fortunately this independence has been preserved in favour of the solidarity of the international Human Rights movement. Given the role played by this prestigious national institution in the promotion of Human Rights and in the foundation of our Network, I take this opportunity, in the name of the general Assembly, to renew our heart-felt congratulations to its director Morten Kjaerum, member of the Executive Committee.

3. The promotion has progressed on 2 levels: the promotion of guarantees to enjoy Human Rights and the promotion relative to the education on these rights.

a) at the level of the promotion of Human Rights protection guarantees:

The Network has made it a priority to support the development of an **independent and impartial** system of justice system and the rule of law which would provide for the sustainable protection of rights and fundamental freedoms.

It has collaborated actively with the university of Uppsala to organise the seminar on access to justice, in collaboration with the governments of the Nordic countries, and this has constituted a 'premiere'

since the foundation of our organisation. University experts, lawyers and magistrates, in the presence of a few representatives of partner governments and of the European Commission, have analysed the main deficiencies of justice in the countries East and South of the Mediterranean. Recommendations adopted at the end of this seminar, and that have been communicated to European institutions, constitute an unpublished contribution of civil society to the development of the regional programme of justice and home affairs, emphasising until now security questions. With the experience gained from this seminar on the political and organisational plan, the Network set up a working group on justice at the beginning of January which adopted the main points of an orientation document aiming to develop a synergy in an essential domain. This document will be the subject of a debate in the workshop whose recommendations will be submitted to your assembly.

Concerning women's rights and, conscious of the difficulties met by the Network in this fundamental domain, the Executive Committee has adopted a new organisational approach following the report of the conference that was to take place at the beginning of Autumn 2000, before the Marseille forum. It has been decided to firstly have an inventory made about women's condition in the region. Thus at the beginning of the year, and thanks to the invaluable collaboration of two militants and resource persons, an excellent report on women's rights has been put together. It was the subject of a rich debate during the seminar held on the eve of our assembly, which adopted the recommendations given in your deliberations. It is thanks to this accumulation that the Network is finally able to determine its strategy and to set up an action plan in the domain of the promotion of women's rights in the region.

Regarding the rights of immigrants, refugees and asylum seekers, the conference held in Trieste last January, within the framework of the Network's collaboration with the Italian Refugee Council, was a constructive experience. The report on the work of the conference reflects the debate and the conclusions of the conference. A first evaluation underlines the numerous positive aspects as well as some negative ones. The latter reveal essentially the Network's still limited experience in the organisation of such events. One of these aspects resides in the under-representation of immigrants' organisations in Europe. The content of the Trieste conference will also be a workshop subject at the general assembly.

Concerning the socio-economic and cultural rights, and based on a novel study on the implications of the MEDA programmes on human rights, a training seminar was organised in Brussels at the beginning of November 2001. For the first time, the Partnership's economic window has been analysed considering its effects on the social plan and of the relative clause in respect of Human Rights. The impact of the report and the seminar on numerous participants and the European Commission has been positive.

b) **In the domain of the promotion of Human Rights education**, and based on the general document submitted to the examination of the last general assembly, the concerned working

group has developed a synergy between three human rights institutions in the North and three in the South. A project to develop an Internet site for human rights education has been put in place and a few other projects are being carried out.

Ladies and gentlemen

The Network's action has been the object of inadequacy and limitations.

It must be noted it has not been possible to date to respect the dispositions relative to the General Assembly periodicity, which, in principle, is annual, and of the election of the Executive Committee whose mandate is 2 years. Regarding the delay in holding the present Assembly, this was due to the fact that it had been decided to link the General Assembly to the civil Forums for political and logistic reasons. However, we decided not to do so for the present Assembly due to the difficult conditions under which the Forum in Valencia was organised.

In view of the practice since the establishment of the Network, the adjustment of the statutes proves to be necessary. A working group should be constituted in order to prepare a revision for the next Assembly. We must also admit that the work of our secretariat, whose members make praiseworthy efforts, lies above the action plan adopted by the general assembly.

Besides, and in spite of the marked efforts and the development of its site in three languages, the Network suffers a communication deficit. Its reports and declarations are not sufficiently visible in the media. Their diffusion in partner countries in the South is particularly limited. Furthermore, members' participation in regional activities remains restricted. Thus the Casablanca seminar on freedom of association did not have a follow-up, whereas it had been thought to be a starting point of a concerted action and followed in the protection of this fundamental liberty in the region.

Just as the Network has not been in a position until now to play a concrete role in the domain of protection of the rights of immigrants. And although the dialogue with the governments has been considered as a necessary and useful means of action, contacts made with a number of governments in the North and the South do not follow steady and concerted action.

Finally, generally and beside cases dictated by the imperative of protection or seminars and General Assemblies, relationships between the Network and its members remain distant and far between. This afternoon's debate on the future of REMDH and the Partnership has been organised by the Executive Committee in order to start a debate on the reinforcement of the Network and the growth of its impact and how to develop regional synergies.

Given the above, what could be the short to medium term perspectives?

The political conjuncture in the world and in Europe has changed considerably since the Network's creation, a little over 5 years ago. The experiences of the second half of the 20th century are seriously

being reconsidered at the beginning of the 21st century. The crisis of international law has become deeper. On the other hand, in the name of the fight against terrorism and the European States treatment of immigration, the need and urgency of security takes precedence to human rights respect. The external pressure on authoritarian governments with regards to respecting human rights is now diminishing after a decade of increase. The Network needs to take into consideration the changes brought about and to re-examine the priorities of its action by revising its methods. New opportunities should be seized in promoting a human rights culture linked to a sharper conscience of the importance of economic and social rights and to the fights against the aggravation of injustices and inequalities at an international level. One must become aware of the need to save durability of the human rights movement through work built on awareness and sensibility.

Of course, lobbying partner governments and European institutions must certainly not only be maintained but reinforced through a better coordination with international NGOs.

The Network's activities should be geared in the following directions:

- The development of action in the domain of the promotion of a just peace in the Middle East and of the protection of Palestinians' collective and individual rights, in cooperation with international NGOs
- Anchoring the Network in partner countries through synergy with its members. Priority must be given to the promotion of women's rights, of justice and legal guarantees of freedom of expression and association. These constitute the key to the development of civil society in the region.
- Developing the actions of the Network in the North with regard to protection of the victims of discriminations. This work will be based on the protection of immigrants and the legislation concerning foreigners, as well as on addressing the disparities in economic, social and cultural terms in the region.
- Establishing an action plan on the promotion of human rights education based on the work done in region.
- Growing visibility of the Network at a regional level and in Partner countries. To this effect, internal and external communication, especially with the media, must be improved, and this implies the creation of a new post at the secretariat in the near future.

Ladies and Gentlemen

As the protection and promotion of human rights in the region have become more difficult, the Network and human rights NGOs have no alternative but to continue their fight with the determination, perspicacity and vigilance that characterise their members.

As is our habit to focus on the 'full part of the glass', we must benefit from our achievements and strive for its further development. Despite the inherent obstacles to the implementation of international law

and human rights instruments, as well as the limitations and insufficiencies of the Euro-Mediterranean Partnership in this domain, this Partnership has allowed us to set up for the first time a regional human rights organisation. This organisation's contribution and efficiency depend on its members. Progress realised from one Assembly to another can only incite us to pursue our fight for the realisation of objectives that we have assigned ourselves. The present General Assembly constitutes in this respect an important stage in the life of the Network. I wish its projects much success.

ANNEX 4A: DEVELOPMENT AND FORECAST OF EMHRN INCOME

	1998	1999	2000	2001	2002	2003
EU Commission	0	275.053	625.000	625.000	625.000	625.000
Core funding	113.528	66.833	67.114	67.114	120.114	200.000
Project funding		6.774	49.267	92.277	50.000	50.000
Various				17.920	20.000	20.000
Total	113.528	348.660	741.381	802.311	815.114	895.000
Other donors vis-à-vis EU funding, %	100	21	19	22	23	30

ANNEX 4B: EXPENSES ACTIVITIES 2000-2001

	2000-2001	%
2. Organisation of the EMHRN		
a. General Assembly	80.564	
b. Executive Committee		
b1. Meetings	85.214	
b2. Member Activities	2.650	
c. Capacity building		
c1. MEDA Seminar	86.144	
c2. Arabic Guide / Arabic Web Site	19.786	
Subtotal 2	274.358	30,0%
3. EMHRN Activities by country		
a1. Palestine	17.011	
a2. Turkey	8.315	
a3. Egypt	3.128	
a4. Lebanon	12.025	
a5. Israel	0	
a6. Syria	5.693	
a7. Tunisie	23.249	
a8. Algeria	8.748	
a9. Morocco	3.264	
a10. Jordan	17.823	
Subtotal 3	99.256	10,9%
4. Activities by themes and Key activities		
a. Freedom of Association	27.815	
b. Migration and refugees	6.043	
c. Women's rights	18.658	
d. Education	26.659	
e. Right to self-determination	28.669	
f. Access to Justice	2.567	
g. Brussels Office + Mécanismes/ Mechanisms	38.443	
h. Dialogue, governments	0	
i. Civil Forum	2.592	
Subtotal 4	148.854	16,3%
Subtotal 2, 3 and 4	522.468	57,1%
5. The EMHRN Administration		
a. The Executive body	120.046	
b. Communication	96.702	
c. Administration and audit	80.814	
d. Travels and member news	20.635	
Subtotal 5	318.197	34,8%
6. Administration	73.717	8,1%
7. Total	914.382	100,0%

ANNEX 4C: GUIDELINES FOR ACTION BUDGET 2002-2003

	2.002	%	2.003	%
1. Organisation of the EMHRN				
a. General Assembly	85.000		85.000	
b. <i>Executive Committee</i>				
b1. Meetings	40.000		40.000	
b2. Member Activities	8.000		8.000	
c. <i>Capacity building</i>				
c1. Training seminar	50.000		50.000	
c2. Web Site	15.000		40.000	
Subtotal 2	198.000	18,9%	223.000	18,3%
2. EMHRN Activities				
a. By country	180.000		210.000	
Subtotal 3	180.000	17,2%	210.000	17,2%
3. Activities by themes and key activities				
a. Freedom of Association	10.000		20.000	
b. Migration and refugees, seminar, missions	85.000		30.000	
c. Women's rights	55.000		30.000	
d. Education, Human Rights	25.000		50.000	
e. The Rights to self-determination. See Palestine				
f. Access to Justice	40.000		50.000	
g. Brussels Office + Human Rights Mechanisms	90.000		120.000	
h. EcoSoc Rights	35.000		35.000	
i. Civil Forum	15.000		15.000	
j. Human Rights and Terrorism	35.000		25.000	
Subtotal 4	390.000	37,2%	375.000	30,7%
Subtotal 3 and 4	570.000	54,3%	808.000	66,2%
5. A The EMHRN Administration				
a. The Executive body	66.000		70.000	
b. Project coordination	0		63.000	
c. Communication	63.000		64.000	
d. Meeting/travel coordination and accounts	64.000		110.000	
e. Travels	15.000		20.000	
Subtotal 5	208.000	19,8%	327.000	26,8%
Subtotal 2+3+4+5	976.000	93,0%	1.135.000	93,0%
6. Administration, 7%	73.462	7,0%	85.430	7,0%
7. Total	1.049.462	100,0%	1.220.430	100,0%

ANNEX 5A: THE IMPACT OF THE SEPTEMBER 11TH ATTACKS ON CIVIL LIBERTIES IN EUROPE.

By Driss El Yazami, Secretary General of the FIDH

The American intervention launched in Afghanistan following the September 11 terrorist attacks was at first named "infinite justice" and then "enduring freedom". This last name was chosen some weeks ago by several international NGOs³ to launch a website⁴ listing human rights abuses in the aftermath of September 11. This initiative confirms the fears of numerous organizations throughout the world that restrictions to civil liberties are being introduced under the pretext of combating terrorism.

In their reaction to September 11, the member organizations of FIDH stressed 5 common points⁵: unanimous condemnation of terrorist attacks; demand for a reaction in accordance with international law; fear of inter-community tensions and of abuses of the rights of immigrants and asylum seekers; problems in defining the crime of international terrorism; and fears of security policies violating liberties. Some of these fears very soon appeared to be legitimate.

In the beginning of October 2001, the French government presented 13 amendments to a security bill to the senate, after the bill had already been adopted by the Parliament⁶. Since terrorism is a tactic favoured by those in drugs and weapons trafficking, and since it rests upon "*the use of new information and communication technologies*", the government proposed 13 measures to last until December 31, 2003 (when re-evaluation should occur).

Several rights organizations and lawyers unions expressed serious concern about those amendments. Politically, the law was criticised for the rush in which it was adopted as well as for the possibility that these measures might intensify the fears of the population. From a legal point of view, the procedure was considered unconstitutional and the amendments were suspected of aiming mostly at reinforcing social control. "*In the name of the fight against terrorism, general police powers are extended*" the French league for Human Rights (LDH) said in a press release on October 11.

These new French laws give the authorities the power not only to search car luggage racks, but also to search all the cars in a neighbourhood or even a whole district (*département*) regardless whether the owner is absent or there are witnesses. The scope of search warrants is also widely extended. The *juge des libertés* will only have to authorise it on the basis of police documents. Private security agents are entitled to body search people in airports, harbours, and even in the street; essentially, police powers are being privatised. Finally electronic surveillance is extended even in cases that have nothing to do with either with drug or weapons trafficking or terrorism. Internet service providers will have to keep for a year all information exchanged by their clients.

Some of these measures will certainly be submitted to the control of the judiciary. However, these guaranties may be purely formal. Car searches for example will no longer truly be controlled by magistrates. Moreover, the *juge des libertés* will base his decision on police documents only. One can be doubtful of the temporary character of these measures, considering the positions taken by the right-wing opposition and parts of the current majority. These new laws were met with a large degree of political consensus, despite a very critical deliberation by the Consultative Commission on Human rights, to which the French League for Human Rights (LDH, Ligue des droits de l'Homme) submitted the case. (Though the political opposition did not submit the Commission's criticisms to the Constitutional Court, citizens did⁷.)

³ FIDH, RSF and HRW

⁴ www.enduring-freedoms.net

⁵ See article by E. Wrzoncki on FIDH website <http://www.fidh.org>, under September 11 terrorist attacks.

⁶ This bill, passed into law since (journal officiel November 15) addressed a range of issues including the driving code, bank cards, dangerous animals...

⁷ The text of submission to the Constitutional court is available on the website www.lsjolie.net. For a critical analysis of this law, please report the French human rights league website www.ldh-asso.fr

This new law is part of a large set of pre-existing measures and laws in France, which have already been subjected to criticism. A 1986 law instituted an “anti-terrorist judges section” whose functioning principles have been highly criticised⁸. Also in 1986, a plan called “Vigipirate” was set up, which, when activated, would mobilise all police and military forces and intensify all public controls. This plan, though it was never made public, was activated on September 12, in reaction to the September 11 attacks. Thus, according to human rights defenders, these new French laws were not necessary.

People opposing the new anti-terrorist law adopted in December 2001 by Great Britain also argue that a new law was not necessary. The country already had some of the most extensive anti-terrorist legislation in Europe, and this legislation has caused numerous human rights violations in the past⁹.

Despite protests and the foot dragging by the House of the Lords, new measures were taken. They provide, as in France, for phone tapping and Internet communication surveillance. Internet service providers are obligated to keep data for a longer time than before and judicial authorisation is not required before the police accesses such information - approval from the Interior Minister or of a senior civil servant is sufficient. This new British legislation also authorised prolonged detention of suspects, even if no charges have been laid. These measures are in clear violation of the European Convention on Human Rights that had just been integrated into British law, through the Human Rights Act of October 2000¹⁰.

Two of the measures proposed by Mr. Blair’s government were not adopted thanks to the reaction of the Members of Parliament and of British civil society, including a proposal to make ID cards compulsory and the proposal to include a charge of “incitement to religious hatred”.

In Germany, in addition to measures concerning foreigners and asylum seekers¹¹, the main legal changes have concerned co-ordination of police services and electronic surveillance. Traditional separation between the intelligence and police services is being abolished. The intelligence services now have unlimited access to the common filing system of the police (INPOL) and of the direction of military security services (MAD). The foreign intelligence service (BND), border police and the Federal office for the protection of the Constitution now have common responsibility in relation to visas. For the first time, in the Federal Republic of Germany, the German service for the protection of the Constitution has powers similar to those of the police. The new law also enhanced police access to different electronic information sources. Internet service providers, postal services, or banks will be required to provide access to personal information concerning persons suspected of “supporting international terrorism”, an expression which is very vague.

“Who defines the distinction between ‘terrorists’ and ‘liberties defenders?’” twenty German Human rights organizations asked in a joint press release in November 2001. They are not confident despite the fact that the law will be re-examined in 5 years. “Experience shows that once established, surveillance measures are only exceptionally removed”, they stated.

Along with Spain, Portugal and Italy, France, Germany and Great-Britain are the only states within the European Union where specific legal and juridical instruments concerning terrorism, in which the terms “terrorist” or “terrorism” are mentioned as such, and that do expressly incriminate terrorist acts, exist.

In the 9 remaining countries of the EU, there is no specific law concerning terrorism. In those countries, terrorist acts are sanctioned as infractions of the general criminal law. The three countries

⁸ The FIDH investigated in 1999 upon this special section. See report on www.fidh.org, *Antiterrorist laws in France : the open door to arbitrary* by M. Mc Colgan and JP Dubois.

⁹ Liberty, the national council for liberties, noted that among more than 7000 persons arrested in Britain, under the Prevention of Terrorism Act, only very few were charged for terrorism. This law was amended in 2000.

¹⁰ For a detailed analysis of this law, see www.liberty.human-rights.org.uk

¹¹ As another intervention is treating this topic, we won’t develop it here. However, it is to be noted that Germany is the country where foreigners were the most targeted by the new security laws. Police and information services will be entitled to search throughout a central control registry of foreign citizens. It is planned to file information to prove the ‘real’ country of origin of foreigners. Digital prints and ‘other documents proving the identity’ of asylum seekers will be kept for ten years and will systematically be compared with digital prints found during crime investigations. Moreover, foreigners will not be able to create associations whose objectives or activities would be prejudicial to the building of will or to the fundamental interests of the Federal republic of Germany.

that already had specific legislation are precisely those who reinforced the legislation after September 11. There is no logic to this, but three quarters of immigrants in Europe are to be found in these three countries.

On the international level, the 15 EU countries have signed and ratified a whole set of thematic conventions on terrorism¹². Those States are also Parties to the European Convention for the Repression of Terrorist Acts, created within the Council of Europe (Strasbourg, January 1977) and concerning about 40 member countries of the Council of Europe.

In the framework of the on-going discussion of the development of a European policy to fight terrorism, this convention is considered to be very important by the European Commission and member states, as it is to be the first international Convention to define a series of acts that constitute the crime of terrorism. This Convention excludes all political motivation from the terrorist acts, thus facilitating extradition procedures between European States.

On the regional level, still, article 29 of the European Union treaty, a fundamental European text, clearly evokes terrorism, defined as a grave type of criminality that has to be prevented and combated by increased police and judicial co-operation. Arrests within Islamic groups (especially Algerian ones) in Europe over the last three or four years have probably been undertaken in this framework, but not publicly. A European police office, competent in terrorist cases, was created by a Convention on November 27, 1995. In October 1996, the Council of Ministers decided to create a "file of terrorism-specialised competencies, knowledge and expertise". In 1998, the Council stated that the fight against terrorism would be one of the priorities of EUROPOL, the European police office.

On the legal level, two conventions were signed between the 15 EU countries in 1995 and 1996, dealing with the extradition of persons condemned by law to another country of the Union. These conventions preceded the probable suppression of the formal extradition procedure of a person definitively condemned. This was one of the conclusions of the European Summit of Tampere of October 1999 (conclusion 35).

But very soon, enhanced police co-operation and legal steps were deemed insufficient and the need for a common European judicial space was stressed. This common judicial space appears all the more necessary for combating financial crime, money laundering and to assist the development of the European common market.

On September 5, six days before the attacks, the European Parliament adopted a resolution requesting the suppression of the extradition procedure, the creation of a European search and arrest warrant and the harmonisation of national legislation regarding terrorism.

This context explains why as soon as September 19, the European Commission submitted to the Council of Ministers two framework decisions, one regarding the fight against terrorism and the other one concerning the European arrest warrant.

The Commission could not make these two decisions in such a small amount of time but the September 11 attacks certainly accelerated the process. Presented on September 19 and published few days afterwards on the website of the Commission, these two decisions were highly criticized without much publicity.

The main criticism related to the definition of a terrorist infraction. In some cases, this definition could cover street demonstrations against globalisation or some forms of labour union actions such as occupation of a factory by fired employees.

The Ministers of Justice and Interior discussed the project which they would have agreed on in December 2001. The agreement is not public yet, but according to sources, the protests had a positive impact.

¹² Concerning taking of hostages (1979), aircraft (1970), nuclear weapon protection (1980) and terrorism financing (1999).

The new version would clearly refer to the articles of the Charter of Fundamental Rights and to the European Convention on Human rights protecting the right to strike, union liberties, freedoms of demonstration, meeting, association and expression. Concretely, occupation of a public or private site (a factory for example) that would have been deemed terrorist infraction in the September 19 version has been removed. It seems that Sweden, Denmark, and Ireland have demanded their national parliaments to deliberate before they approve it. The case will, of course, be submitted to the European parliament. This constitutes a new opportunity for public debate or amendment.

To sum up, three countries have introduced new anti-terrorist legislation that clearly infringe on liberties of all citizens and in particular on those of the lower social classes and immigrants.

“The consequences of the logic at stake are important: as they will enable especially in difficult neighbourhoods massive intervention of police forces and will thus reinforce the feeling that law in itself is the source of discrimination and arbitrariness, in places where control is often determined by origin. Freedom of movement, safety of one’s home and privacy of correspondence are being restricted for causes that do not always have to do with terrorism. In fact, “it is a general reinforcement of social control, under the pretext of terrorism”, as Michel Tubiana, vice-president of the FIDH wrote in an article published in *Le Monde* on October 11.

On the EU level, it is too soon to say that civil liberties will be seriously undermined. Nevertheless, it is certain that the September 11 events have been a decisive impulse for developing a common judicial space and led to reinforcing co-operation between the police and intelligence services of the 15 EU member States. This developing co-ordination may be a threat because it is not subjected to debate and public deliberation.

ANNEX 5B: COMMUNICATION BY DRISS EL YAZAMI: THE MEDITERRANEAN COUNTRIES AFTER THE SEPTEMBER 11TH. THE OPPORTUNIST USE OF TERRORISM

On the 14th March 2002, the daily newspaper *Le Monde* printed an article published several days earlier by the American newspaper *Washington Post*, reporting that Jordanian and Egyptian nationals had been arrested in Indonesia at the request of the American authorities and secretly extradited to their respective countries on an American aeroplane. Detained in secret, these presumed terrorists were interrogated in the presence of investigators rushed over from Washington. Nearly two months later, it still unknown what treatment was reserved for these prisoners, although one might imagine the worst; nor were their identities known or where they were held - which is illegal in the eyes of the law in both countries and, of course, goes against all international norms.

This infamous case, one of the few that we know about, illustrates how the authoritarian states on the southern Mediterranean shore conceive of the fight against terrorism and the way things are deteriorating post September 11th. It also gives an idea of the security co-operation which has been put in place outside of the rule of law and with the complaisant assistance of democratic states, or, at any rate, the United States.

Illegitimate powers and dissenting societies

To understand how serious the situation in the countries of the region has become since the terrorist attacks of last summer, it is important that we briefly review the context. Just about all the states in this part of the world - be they monarchies or governed by the highest echelons of the military - are confronting a serious crisis of legitimacy. Incapable of facing up to the challenges of socio-economic development, riddled with corruption and nepotism, the leading powers govern their societies with an iron hand. In the majority of countries, politico-religious movements inspired by Islam oppose these systems and, despite implacable repression, find a certain echo in their respective societies. Evidently, this anti-establishment opposition is not unique. Developing alongside it are various secular movements which refer more or less explicitly to universal human rights. Finally, in a quasi-periodic way, whole sectors of these societies violently revolt against the unjust order. The urban riots that have punctuated the history of these countries since independence demonstrate the absence of any opportunity for peaceful, pluralist protest and reveal deep-seated rejection of the regimes.

Glaring social injustice and political authoritarianism are therefore the two elements which characterise these societies; they also explain the permanence of other evils which are eating away at them, thus rendering modernisation even more arduous: segregation of the sexes, intolerance and social conservatism, the rejection of pluralism, etc.

This context is aggravated by the devastating effects of public opinion over the Palestinian crisis and the embargo against Iraq, which are perceived as two illustrations of the discriminatory attitude of the

« international community ». Passive in the face of a strategy which has been going on for more than half a century, incapable of intervening whilst the second *intifada* continues, the world powers saw fit to mobilise to defend an oil monarchy and punish the Iraqi people on the grounds of fighting a dictator. In a region where despotic authorities are hardly the exception, this attitude is felt to be hypocritical and unjust. It is regularly brought up as a way of calling into question the politics of double standards, to contest the sincerity of democracies' attachment to universal values and to cast doubt on the action of human rights workers.

Summoned to enrol in the new coalition against terrorism in the wake of September 11th, therefore, are societies which are more or less latently in dissent, and regimes with very little legitimacy.

Who defines "terrorism"?

For numerous regimes in the region, and particularly those battling ferociously against opposition at home, it's an all too sweet opportunity. Indeed the American offer comes just at the right time to legitimise their flagrant attacks on liberties and obtain explicit agreement with Western States over their repressive policies. In Algiers, Tunis, Cairo... the official discourse is always the same: « We have long been facing terrorism and the Western capitals have paid virtually no heed to our warnings. Worse, they have propped up terrorist movements, offering asylum to criminals wanted by us. » As proof of their commitment against terrorism, the Arab States add that, long before other States, they were the only ones to have equipped themselves with a regional treaty, the Arab Convention for the suppression of terrorism.

At first glance, such a discourse seems entirely reasonable. During recent years, opposing Islamic groups have taken up arms in Algeria, in Egypt... Their actions have resulted in unquestionable attacks on the most basic of rights - the right to live. And it is the right and indeed the duty of states to ensure and guarantee the security of their populations. Yet it is necessary to define precisely what is understood by terrorism and to lead the said fight against terrorism within the framework of universally accepted norms. This is far from the case with the Arab Convention for the suppression of terrorism.

Adopted on the 22nd April 1998, in Cairo by the Council of Ministers for Justice of the League of Arab States¹³, this convention came into effect on the 7th May 1999, after it was ratified by the seven signatory countries. This constitutes a very short delay considering that the Arab Human Rights Charter, for example, which was adopted on the 15th September 1994, has so far only been ratified by a single country - Iraq.

¹³ The League of Arab States was founded in March 1945; today it includes 22 member States.

The Convention was adopted despite the fact that there is no internationally accepted definition of what is understood by terrorism. A draft international convention against terrorism is currently under discussion at the UN General Assembly following the publication on the 22nd October, 2001, of a draft convention worked out by a UN working party: in fact, this text has prompted strong reservations from several international human rights organisations¹⁴. Meanwhile, there are many international texts on the fight against crimes qualified as terrorist, such as the hijacking of aeroplanes or hostage taking of diplomats - some of which were worked out in 1963. Furthermore, the difficulty of adopting a definition of terrorism was underlined shortly before the September 11th attacks by Ms. Kalioppi K. Koufa, appointed special reporter on terrorism by the UN human rights sub-committee. In a report of August, 2001, she recalled that the notion of terrorism had « previously been approached from such different perspectives and across such varied contexts that to this day it was impossible for the international community to arrive at an acceptable definition » [our translation]; she also underlined that, politically charged, the term was used selectively, depending on which camp or cause was being supported¹⁵.

Domestic agenda and the events of September 11th

The Arab Convention defines terrorism as « any act of violence or threat of violence, whatever the motives or objectives, committed for the purposes of individually or collectively carrying out a criminal activity and aiming to spread terror amongst the population by exposing their life, liberty or security to danger, or aiming to cause harm to the environment or infrastructures, both public and private, or to occupy or seize them, or aiming to expose any national resource to danger. »

Using this vague and imprecise definition in the eyes of international law, the Arab Convention has put several measures in place, notably the following: the creation of a data bank providing information on « terrorist groups » in each country party to the Convention, the sharing of information amongst the police of the various countries, surveillance of the movements of “terrorist groups”, and finally, the extradition of any person believed by the judiciary of his/her country of origin to be involved in a « terrorist activity » and taking refuge in another Arab country.

The quasi-systematic use of torture, the widespread practice of secret detention, the strict control over the judiciary by the executive powers and the existence of special courts (state security courts, military courts etc.) in several countries in the region, which in some cases have been under a state of emergency for decades, all leads one to fear the worst. And we know, without carrying out any precise appraisal, that opponents have been handed over to other Arab countries from Syria, Jordan and Sudan.

¹⁴ See, notably, the reaction of Amnesty International: “Draft Comprehensive Convention on International Terrorism: A Threat to Human Rights Standards”, 22nd October 2001, AI Index IQR 51/009/2001 (www.amnesty.org) and the critical analysis of the International Commission of Jurists (www.icj.org).

¹⁵ Terrorism and human rights, report by Ms. Kalliopi k. Koufa, UN Doc. E/CN.4/sub.2/2001/31.

Other countries were very keen to modify their legislation in the weeks following September 11th. By royal edict and beyond the realm of parliament, Jordan promulgated a law amending the Penal Code which significantly enlarged the definition of terrorism and created new offences¹⁶. The same legal text defines crimes against the state as any act « aiming to destroy the political system of the kingdom or encourage resistance », and incriminates « anyone participating in an individual or collective action with the aim of changing the economic or social nature of the State or the foundations of society ».¹⁷

For the majority of states, however, it wasn't even necessary to adopt new legislation. The main thing was to obtain the agreement of the international community over the said « anti-terrorist » laws that were already in force in their countries. This becomes apparent on examination of the reports handed over to the Security Council in accordance with Resolution 1373. This resolution, adopted on the 28th September 2001, puts in place an anti-terrorist Committee and requires all the member states to hand in a report on the measures that are in force or the measures they intend to set up in order to fight terrorism. A number of these reports - which are public – make for very worrying¹⁸ reading, as in the case of the report handed in by Algeria to the Security Council on 27th December 2001.

The Algerian government introduces its report by recalling that Algeria has « long been suffering the horrors of terrorism, often in the face of indifference and sometimes complaisance on the part of certain segments of the international community »; Algeria considers that the current mobilising of the community of nations marks « the acknowledgement of the validity of the positions on terrorism and its global implications that it [Algeria] has defended with constancy. Thus, and thanks to all countries implementing this resolution [1373], Algeria hopes to see its own fight to eradicate this trans-national scourge, which targets it directly, more clearly confirmed and supported. »

The report then sets out the principal measures that Algeria has been taking to fight « terrorism » since 1992 - the year the general election was interrupted when the Islamic Salvation Front [Front Islamique du Salut] was on the point of winning. Forgetting as if by chance to point out that the country is still being governed under a state of emergency¹⁹ by decree, the report emphasizes the anti-terrorist dispositions adopted by decree by the executive powers in September 1992 and April 1993, which in

¹⁶ Such as: harming national unity, the prestige, integrity and reputation of the state, inciting disorder, obstruction of the public highway and the holding of forbidden public meetings, wronging the dignity, reputation and liberty of individuals, destabilising society by promoting deviance and immorality, and disseminating false information and rumours.

¹⁷ See the Amnesty International Jordan report: security measures violating human rights. Index AI

¹⁸ The reports of the States, together with all the UN resolutions on the issue, are available on the UN website: www.un.org/french/terrorism

¹⁹ The decree on the State of Emergency of 9th February 1992, notably gives the following powers to the Minister of the Interior and to the Walis (prefects): the internment in security centres of any person whose activities are revealed to endanger public order and security, the restriction or banning of the movement of persons and vehicles, the setting up of regulated living zones for non-residents, searches by day or night, the ability to suspend or dissolve any local assembly which proves to deliberately oppose or obstruct the action of the public authorities, the ability to bring before the military courts the authors (whatever their position) of crimes and serious misdemeanors against state security, as well as their accomplices.

1995 were then integrated into the Penal Code and Code of Penal Procedure after the deliberations of an assembly whose members had been appointed by the government.

It is hardly possible within the framework of this article to go over in detail these dispositions in their entirety, dispositions which have aroused and continue to arouse the reprobation of Algerian and international human rights associations who consider them unconstitutional and dispensatory, on several points, in relation to international norms²⁰. The appraisal of the anti-terrorist fight, such as the Algerian authorities conceive of it, is today unquestionable and, sadly, tragic for Algerian society: nearly 20 thousand people have disappeared in this country - more than double the victims of the Pinochet regime.

Conclusion

A few months after the attacks of September 11th, Afghanistan was liberated from the iron grip of a retrograde sect which had captured great interest: the terrorist network of Bin Laden seemed to be in the process of being dismantled. Several essential questions remain: is the alliance of world states against « terrorism » that the United States wants to build going to confront the deep-rooted causes which have given birth to these monstrosities? And what will be the price of this fight against « terrorism » for our liberties and the liberties of the peoples in the South?

The Human Rights Commission, which constitutes the highest authority of the UN human rights protection mechanisms, has just ended its annual meeting by rejecting all the proposals it had been asked to consider regarding the setting up of a mechanism to monitor the action of States within the framework of the fight against terrorism. Various ideas had been put forward by Ms. Mary Robinson, High Commissioner for human rights, non-governmental organisations, several independent experts of international renown, as well as by Latin American and European governments. The fifty-three member States of the Human Rights Commission gave in to joint pressure from the authoritarian states (Algeria, Egypt) and the United States, which is no longer a member of the Commission but which deployed great energy in this respect.

Thus these States have clearly indicated how they intend to conduct their fight against terrorism - as they please, if necessary by taking a few, if not more than a few, liberties with international human rights norms.

²⁰ The principal human rights organisations (International Federation of Human Rights [Fédération internationale des droits de l'Homme], Human Rights Watch, Amnesty International, ...) have published more than 20 reports since 1992, analysing precisely the violations of rights in these countries. For example, see the FIDH website: www.fidh.org

ANNEX 6A: DOCUMENT PREPARED FOR THE HRE WORKSHOP

'Reviewing the EMHRN and Human Rights Education'

Notes for a Workshop

Colm Regan, EMHRN HRE Working Group

The proposed workshop agenda will focus on:

- Reviewing members' current work and priorities
- Reviewing the work of the group to date
- Discussing future priorities
- Developing a specific plan to the next AGM
- Agreeing work responsibilities

At the outset of the workshop, it may be worthwhile to remind ourselves of the understanding of HRE adopted by the Network since 2000.

Human Rights Education – a framework

The Four Key Dimensions

In our view, human rights education must take into account **four key dimensions** - all of which need to be addressed in order to achieve our desired ends. Each of these dimensions is of equal importance and one should not be prioritised above another. In such a context, education for human rights is the **active process** by which people, through **personal experience** and **shared knowledge**:

- gain experience of, develop and practise **values and dispositions** which are crucial to a just, democratic and peaceful society which respects and promotes the human rights of all.
- engage with, develop and apply **ideas and understandings** which help explain the origins, diversity and dynamic nature of society, including the interactions between and among societies, cultures, individuals, identities and environments and the core role of human rights in mediating these interactions.
- engage with, develop and practise **skills and capabilities** which enable investigation of society, discussion of issues, problem-tackling, decision-making, working co-operatively and negotiating with others
- take **actions** and have access to **essential experiences** that are illuminated and initiated by these ideas, values and skills and which might contribute to the achievement of a peaceful and democratic society.

Values and Beliefs

- **Respect and caring for self** - In a just and democratic society, respect and caring for self is central to the flourishing of the well being of both the individual and the wider community. Respecting and caring for oneself brings both the capacity to act autonomously and to be self-motivated. It is an essential pre-requisite for an understanding of how to care for others and creates the potential for inner peace in a world of change and uncertainty.
- **Respect and caring for others** - In a pluralist democracy, the belief that respecting and caring for others is central to living interdependently. The positive relationships forged among individuals and groups are essential to the development of qualities such as co-operation, interdependence, and respect for a diversity of people and cultures which allows us to live and work in the realities of the world of today and the future.

- **A sense of social responsibility** - In a society geared to the general well-being of all it is essential to develop a commitment to social responsibility based on the critical scrutiny of information and evidence within an awareness of existing power relationships, social mores, principles and traditions. Such a disposition to social responsibility should also entail a commitment to living in an environment that is held in trust for the future.
- **A sense of belonging** - Citizenship depends on a belief in taking part in the enterprise as a whole, in a commitment to common purposes that go beyond personal interests, in a willingness to participate as an active citizen, engendered by a understanding of the world as a place where each individual feels valued and where both group and individual concerns and opinions are respected.

Ideas and Understandings

- **The centrality of relationships** - In an increasingly pluralist and interdependent society, the need to recognise and foster economic, social, cultural and political relationships based on equality and reciprocity as well as a recognition that mutual benefits follow from such relationships.
- **The importance of compromise and negotiation** - In a context of moving away from violence towards the possibility of peace and human rights, the need to develop an awareness of the importance of negotiation and compromise. And the ability to recognise what is essential and what is subsidiary.
- **The concepts of democracy, governance and citizenship** - The promotion of understanding and action to underpin democratic practices and procedures and the duties of all citizens. An appreciation of the history of the struggle for democracy and human rights and the need to safeguard them as well as the recognition of the responsibilities of governments and civil society at large.
- **Cultural identities, conflicts and conciliations** - At a time of rapid globalization, we need to foster a recognition of the equal value of all cultural identities and the dangers of ethnocentricity, which fuels conflict and aggression. The value of conciliation and the skills necessary to achieve it also need to be developed and practised.
- **Rules, rights and responsibilities** - Equality, participation and democracy require the active involvement of all citizens in all countries. The recognition that all are born with inalienable rights must be matched with a recognition that there are also parallel responsibilities. A recognition also that the promotion and protection of rights and responsibilities is not simply the duty of government but of all.
- **Gender identities** - In order to realise the full humanity and dignity as well as the potential contribution of all, we need to foster recognition of the equal rights of all regardless of gender and recognize that discrimination on this basis is immoral and increasingly illegal. We need to rediscover stories which have been hidden from history because of gender discrimination and we need to explore and foster new and different gender roles for the future.

Skills and Capabilities

- **Communication Skills**

Including the ability to: listen, discuss, make oral presentation, debate, interview, communicate competently across all language modes and in a range of media, write for a purpose, defend a position, express one's interests, beliefs and viewpoints through an appropriate medium, perceive and understand the interests, beliefs and viewpoints of others, be empathetic and make appropriate use of information technology.

- **Research and Problem-tackling Skills**

Including the ability to research and evaluate information and ideas, interpret media 'texts', identify bias and prejudice, recognise discrimination and the use of stereotypes, organise information, apply reasoning skills to problems and issues and to perceive the consequences of taking, or not taking, specific actions in particular contexts.

- **Social Skills**

Including the ability to develop satisfying and interactive human relations in different

cultural contexts and across domains of power, take responsibility and make decisions, establish democratic working relationships, sustain dialogue within and across cultural settings and negotiate and make necessary compromises.

- **Action skills** (this dimension is frequently neglected and yet is central to a curriculum for peace and democracy)

Including the ability to identify and understand the objectives and impacts as well as the importance of appropriate action, participate in group decision making, effectively engage in participatory and appropriate democratic action and organise meetings and engage with representatives of different social, political and cultural groups.

Experiences and Actions

If all of the above are to translate into action, they need to be fostered by means of a variety of methodologies and processes. However, there are certain types of essential experiences which foster the development of the values, ideas, skills and actions and which should be featured in all educational settings. These include:

- Working co-operatively and working independently
- Giving and receiving feedback and participating in decision-making
- Feeling valued and sharing responsibility
- Knowing a sense of achievement

While learners should regularly experience many of these in formal educational settings, there should also be opportunities built into organisational arrangements that allow the experiences to be made real in other, non-formal contexts. The experiences do not change, but the contexts do. It is the responsibility of educational managers and policy makers to ensure that learners have the opportunity to take part in such things as:

- residential experiences
- opportunities to join societies and associations
- opportunities to be involved with school councils
- opportunities to engage with representatives of other and perhaps 'opposing' traditions and perspectives including those of other cultures – this dimension is especially important in the context of comparative or cross-cultural learning
- opportunities to practise skills of negotiation and conciliation outside the 'safety' of the formal settings etc.

The Network also identified some core issues and challenges for HRE

- The need for greater networking and co-ordination
- Training and professionalism
- Roles and responsibilities – the role of NGOs and the state in HRE – the issue of 'mainstreaming' HRE
- 'Playing to our strengths' – identifying what the Network is good at or specialises in and building upon that base
- The need to work in different settings, e.g. in formal education as well as non-formal or popular education
- Developing partnerships
- Respecting both the human rights agenda and the education agenda in our work
- The value of comparative learning – learning from each other
- On-going weaknesses in research and evaluation
- Local and global – the need to pursue both agendas
- The overall role and objectives of development and human rights education and their relationship to civil society
- General funding and support

The EMHRN and HRE – a brief review of the work to date

To date, our work has concentrated on a limited number of dimensions:

- The holding of a human rights education workshop to explore common understandings and possibilities for joint work
- The preparation of a draft 'policy paper' for the Network on HRE
- The preparation and translation of a Human Rights Reader into Arabic and English – the reader will shortly be published by the Foundation for Human and Humanitarian Rights in Lebanon along with the Network, CIHRS, the Arab Institute for Human Rights and 80:20
- Work has also begun on developing the website of the Network as regards HRE

Colm Regan

80:20 Educating and Acting for a Better World, Ireland

May 2002

ANNEX 6B: DOCUMENT PREPARED FOR THE WORKSHOP ON THE HUMAN RIGHTS FOUNDATION

Feasibility Study of a Human Rights Foundation for the Promotion and Protection of Human Rights NGOs in the Mediterranean region

In preparation for the workshop on a Feasibility Study of a Human Rights Foundation, taking place during the GA in Athens on the 15th June, we have the pleasure to forward you some notes explaining the objectives of this study, which will then be discussed during the workshop.

1. Background

In November 1995, the fifteen EU Countries and 12 South Mediterranean Partners launched the Euro-Mediterranean Partnership by adopting the Barcelona Declaration, which calls for the creation of an area of peace, stability and prosperity in the Euro-Mediterranean region.

Key elements in the EMP are the economic development of the South Mediterranean countries, increased political dialogue and social and cultural exchange.

The respect for human rights, rule of law and democratic principles are stated as guiding principles for cooperation as well as the recognition of the important role civil society can play in the development of the Partnership.

In general, the situation in the South and East Mediterranean region is characterised by a range of problems in terms of human rights promotion and protection, democratic deficits and frequent and systematic occurrence of gross human rights violations. Civil society is weak in most parts of the region, NGOs often work under severe constraints and human rights organisations' position in society is particularly fragile.

In this context, the Euro-Mediterranean Human Rights Network (EMHRN) was established in January 1997 as a civil society response to the establishment of the EMP with the aim to promote and protect human rights in the region. The EMHRN represents more than fifty human rights organisations working in the Euro-Mediterranean region and has benefited from Danish government assistance.

The study works on the assumption that the Foundation should, at least for the short and medium term, have the board of the EMHRN as its board. The daily operation of the foundation is to be maintained in conjunction with EMHRN.

By cooperating with national, regional and international human rights NGOs for the past four years and through an increased involvement in activities related to the protection and the capacity building of human rights NGOs, the EMHRN has come to realise the existence of a gap in funding opportunities for NGOs and civil society groups due to the bureaucratic procedures of the main public and private donors, constraints with regards to mandates and/or human resources available. This funding gap causes a lack of flexible and readily available funds to support strategic activities. These activities can be clustered into four categories:

1. Readily available funds to cover urgent actions when individual human rights defenders are in danger (threatened by state or non state actors), i.e. costs to cover temporary accommodation during a period of refuge; costs related to communication with the outside world; etc.
2. Funds to support initiatives (meetings, missions, briefings), the timing of which is crucial for their success.
3. Funds to cover the basic costs (training; newsletters; stationary, etc) and activities of organisations and groups that work in countries where explicit support by foreign donors may place them in danger with their own authorities.

4. Funds to support often innovative ongoing activities, or the setting up and maintenance of structures by individuals or organisations who have not yet gained mainstream donor recognition; who do not have the capacity to maintain relations with mainstream donors; who work with issues that are too sensitive to receive main donors' support; or who fall outside mainstream donor categories, such as South human rights organisations working in support of human rights promotion and protection in their home country from abroad

When used efficiently, funds in these areas will increase the capacity of NGOs and human rights groups to work within their constituencies.

2. Objectives

The main objective of the study is to provide a needs assessment for a human rights foundation devoted to flexible and strategic small scale funding of human rights activities in the South Mediterranean region as well as advice and recommendations concerning the constituency and mode of functioning of the agency in question.

Sub-objectives include:

2.1 To analyse current funding needs of human rights groups according to the above-mentioned four categories, the current political and legal context and the work and nature of NGOs within the human rights field in this region.

2.2 To describe the work of current agencies working in similar fields in the region.

2.3 To outline draft statutes of the agency including procedures for management and allocation of funds ensuring an efficient mode of functioning, independence and accountability.

We are looking forward to discuss this project with you in more details during the workshop.

ANNEX 6C: DOCUMENT PREPARED FOR THE JUSTICE WORKSHOP

Guideline Document for the Working Group on Justice

1. Introduction:

As the main principle of the rule of law, justice is the guarantor of the legal security of the people and of the respect of all their rights and fundamental liberties. This is why action in the domain of the promotion of justice is a strategic priority for the network. The basis of this action is:

- on the international level: the norms defined by the covenant on civil and political rights and the resolution of the United Nations on the fundamental principles of judges' and lawyers' independence;
- on the regional level: the commitments entailed in the Barcelona Declaration signed by the governments with regard to respecting human rights and promoting the rule of law;
- on the bilateral level: the obligation in this respect in accordance with Article 2 of the Association Agreements.

2. Deficits in the Legal System in the Mediterranean

In almost all of the non-EU Mediterranean countries, justice is far from having the role which is prescribed for it in the rule of law. Not only is 'justice' often used to execute repressive laws that violate international norms of human rights, but it is institutionally and/or legally pledged to political power. 'Justice':

- covers up rights violations by assuring the impunity of the perpetrators;
- through unfair trials plays a complimentary role to that of the police in the repression of rights and fundamental freedoms;
- often suffers in cases of excessive and serious dysfunctions such as clientelism, corruption and incompetence.

Without a profound reform of justice the enforcement of legal guaranties for the protection of rights and fundamental freedoms will be illusory.

3. The EMP and justice

The main advantage of the creation of the "Justice and Home Affairs" program has been to highlight the question of justice in the context of this regional partnership process. However, it is important to take note that since the beginning the European Union and the Partnership have emphasized commercial and economic questions as well as security issues, particularly in relation to illegal immigration. In the context of the regional programme of cooperation, cooperation on justice has the following objectives:

- to improve knowledge of the legal systems and to facilitate judicial cooperation;
- to encourage the training of judges and judicial personnel;
- to consolidate the bilateral conventions of judicial cooperation concluded between the partners;
- to promote access to justice and information on those to be tried.

Thus, the human rights dimension is absent in the discourse on justice. Moreover, the program covers up the necessity of structural reforms of justice. This approach has been strengthened since 11 September. In fact, the fight against terrorism has become a central objective in the relations between the European Union and its non-EU Mediterranean partners. A number of European countries have taken legislative or administrative measures in order to reinforce the security system, particularly regarding immigration. Southern Mediterranean governments have used the events of September as a pretext for justifying the authoritarian character of their political system and repressive measures against opponents. In this respect, they now benefit from a greater tolerance from their Northern counterparts.

4. *Recommendations from the Uppsala Conference on access to justice*

The conference held in Uppsala on 27-28 April 2001 on the theme of "Legal Access to Justice," and organised with the collaboration of the Network, discussed the relationship between the justice and respect for human rights, on one hand, and the security and stability in the Mediterranean basin, on the other. Taking into account that the Euro-Mediterranean cooperation is not founded on such an approach, the conference made the following recommendations:

- The need for an operational inventory of problems linked to access to justice;
- The establishment of permanent dialogue on matters of access to justice between those responsible in various Partner states and independent experts and civil society;
- The creation of a forum for dialogue and the adoption of specific measures in favour of this dialogue;
- The adoption of operational measures providing human resources, techniques and sufficient financial means, while awaiting the completion of the inventory, in order to guarantee the impartiality, the transparency and the efficiency of the courts.

5. *Action plan:*

By contributing to the promotion of institutional, legislative, administrative and other reforms we can help guarantee the independence and impartiality of justice. The objective is by no means to reinvent what has been done but to support and coordinate the actions of the members by developing synergy and a strategy for lobbying the EMP.

a) It is necessary to "map":

1. possible activities within the framework of the EMP with the aim of reinforcing lobbying. It is a question of developing a lobbying strategy to influence the politics of the EMP and of the EU in this matter, not only in the field of the JHA but also with regard to all other programs and actions such as MEDA.
2. actions and programs of NGOs dealing with justice in the Euro Mediterranean region.
3. justice in the Mediterranean based on international laws, in the states of the North as well as the south, including the following specific areas:
 - institutional guarantees of the independence of justice
 - status of magistrates/judges
 - judicial organisation and special courts
 - access to justice including judicial assistance and the role of the judicial police
 - penal legislation (code of penal procedure, penal code, legislation on detention)
 - financial support
 - training of judges and lawyers
 - conditions of detention

b) the organisation in the medium term of a seminar with the aim of:

- examination of the conclusions of the report on the "mapping"
- discussion and addition to the afore-mentioned report
- development of recommendations in order to establish a strategy and a methodology

c) other activities in the field of justice, mainly concerned with:

- reinforcing trial observations in order to protect victims of violations of rights and fundamental freedoms as well as to promote fair trials. In this respect, there is a need to train observers as well as to improve the quality of reports and to increase their distribution.
- increasing domestic pressure for the improvement of the judicial system and for establishing national plans to promote justice.

- coordinating the activities of NGOs in the field of justice, on a regional level, and creating a synergy between the existing initiatives. In this respect, it has been agreed to reinforce the cooperation with other regional and international NGOs.
- making the case of Tunisian judge Yahiaoui a symbol in the struggle for legal reform.

Conclusion:

To reinforce the foundations of rule of law and the respect for rights and fundamental liberties, the promotion of independent and fair justice in the Mediterranean region is a major imperative. This is a difficult and lengthy matter. The EMHRN has the authority to efficiently contribute to the realisation of this objective. The present guideline document, which will be enriched in the framework of the working group and in connection to the next general assembly aims to clarify the strategy of the Network in this field and to set up an action plan for the medium term in synergy with the international NGOs and the members of the Network.

ANNEX 6D: DOCUMENT PREPARED FOR THE MIGRATION WORKSHOP

NEW FRONTIERS, NEW HORIZONS: CONFERENCE DECLARATION ON MIGRATION, REFUGEES AND HUMAN RIGHTS IN THE EURO-MEDITERRANEAN REGION

On 18-19 January 2002, the first conference on migration, refugees and human rights within the context of the Barcelona process took place in Trieste, Italy, organised by the Euro-Mediterranean Human Rights Network, the Euro-Mediterranean Institute and the Italian Refugee Council.

The conference gathered representatives of governments, inter-governmental institutions, academia and NGOs from the whole region and was based on the recognition that the Barcelona process has potential to become an important vehicle for the promotion of human rights and human exchange.

This paper describes the outcomes of the conference by outlining

- *To which extent human rights, migrant and refugee protection have been integrated into the Barcelona Declaration, p.1.*
- *The basis for establishing a Euro-Mediterranean action plan for the protection of migrant and refugee rights taking new realities into consideration, p.2.*
- *Key demands of the EMHRN to the Euro-Mediterranean Partnership governments, p.4.*
- *Proposals for future work to be considered by the EMHRN, p.6.*

The Barcelona Process

In the Barcelona Declaration the Partners declare themselves convinced that

- The general objective of turning the Mediterranean basin into an area of dialogue, exchange and cooperation guaranteeing peace, stability and prosperity requires a strengthening of democracy and respect for human rights, as well as sustainable and balanced economic and social development;
- They encourage support for democratic institutions and for the strengthening of the rule of law and civil society;
- They commit themselves to act in accordance with the United Nations Charter and the Universal Declaration of Human Rights, as well as other obligations under international law, in particular those arising out of regional and international instruments to which they are party²¹;
- To respect and ensure respect for diversity and pluralism in their societies, promote tolerance between different groups in society and combat manifestations of intolerance, racism and xenophobia.
- They recognize that exchanges at the human level constitute an essential factor in bringing their people closer, promoting understanding between them and improving their perception of each other; and the contribution civil society can make in the process of development of the

²¹ They specify that they commit themselves to respect human rights and fundamental freedoms and guarantee the effective legitimate exercise of such rights and freedoms, including freedom of expression, freedom of association for peaceful purposes and freedom of thought, conscience and religion, both individually and together with other members of the same group, without any discrimination on grounds of race, nationality, language, religion or sex.

Euro-Mediterranean partnership and as an essential factor for greater understanding and closeness between peoples.

However, the Participants in Trieste also noted that when it comes to migrant rights, the Partners limit themselves to:

- Acknowledge the importance of the role played by migration in their relationships and to undertake to guarantee protection of all the rights recognized under existing legislation of migrants legally resident in their respective territories;
- The Partners focus on strengthening their cooperation to reduce migratory pressures in relation to legal immigration and on readmission agreements regarding nationals who are in an illegal situation, as well as on border control measures.

When it comes to refugees and asylum seekers' rights, Participants noticed that no mention is made thereof in the Barcelona Declaration.

The Basis for an Action Plan

With this in mind, the Participants at the Trieste Conference agreed on the need to translate the Barcelona Declaration into a plan of action for the protection of the rights of migrants, refugees and asylum seekers. This plan should be made on the basis of the following conclusions of the conference:

- Peace, stability, prosperity and human dignity with regard to migrants are best promoted and protected by means of internationally agreed human rights instruments, international human rights and refugee conventions, international humanitarian law and international customary law.
- The legitimate concern for security must not diminish respect for human rights of migrants, refugees and asylum seekers.
- The promotion and protection of the rights of migrants, refugees and asylum seekers are best implemented by means of a strong and close dialogue between all relevant actors involved: government, intergovernmental institutions, NGOs, and academia. Important partners in this context are migrants and refugee organisations.
- A strategic approach for the future is most adequately based on a vision of the region where people can move freely from one country to another, and on the recognition that voluntary migration forms part of human life and is an expression of human aspiration.
- Major efforts should be made to analyse and combat the root causes of forced migration, in particular armed conflicts and human rights violations.
- Specific concern is needed with regard to the rights of the Palestinian refugees in the context of international law and relevant UN resolutions.
- Clear differentiation should be made between legislation aimed at the combat of criminality (including terrorism) and legislation aimed at migrants' and refugees' specific situation.
- The geographical boundaries of the Euro-Mediterranean Partnership define a region that, although bound by important historical and human ties, does not necessarily correspond to the national affiliation, perceived or otherwise, of its inhabitants.

· Perceptions of voluntary and forced migration should be adapted to current realities:

- Migratory fluxes do not confine themselves to the limits defined by the Euro-Mediterranean region but encompass larger entities and systems
- Poor countries in the South that previously were termed as exclusively sending countries, and who still are so to a large extent, are also transit and receiving countries. The South Mediterranean region and adjacent areas are major receivers of migrants and refugees who often are left isolated and without basic rights.
- A large part of the responsibility regarding refugees is taken by countries outside the European Union. This implies the need to see European concerns about refugee and migrant policies in a global perspective, and to analyse the declining respect in European countries of international standards.
- Southern European Countries that traditionally were areas of migration outflow now *receive* hundreds of thousands of foreigners, migrants and refugees, and thus are bound to establish new policies for integration.
- The rejuvenation, feminisation and ageing of the temporary and economic migrant populations of Europe (which grew after Europe halted immigration in the early 1970s).
- Women and children are increasingly represented in the migratory scene

Demands to the Euro-Mediterranean Partnership

On this basis, Participants at the Trieste conference ask all the governments of the Euro-Mediterranean Partnership to

In general

· Ensure the respect of fundamental human rights of all migrant categories, including irregular migrants, in conformity with the Universal Declaration of Human Rights, and the main UN human rights conventions.

On Migration

· Recognise the new migration reality in the 'South' and the subsequent need for new policies;

· Recognise migration as an aspect of human development and as an enrichment to society socially, culturally and economically;

· Accept that migration is a rational investment for families' survival or prosperity;

· Ratify relevant ILO Conventions and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

· Ensure initiatives that legalise the presence of undocumented migrants;

· Consult with migrant organisations on policies regarding the rights of migrants.

On refugees

· Sign and ratify the 1951 Geneva Convention Relating to the Status of Refugees, its 1967 Protocol relating to the Status of Refugees, and the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;

- Develop refugee determination procedures in all countries, fast processing of asylum applications, protection of asylum seekers from detention and training of state officials in refugee law principles;
- Develop policies for the absorption of refugees and asylum seekers based on shared responsibility;
- Support for the role of the UNHCR in assisting capacity building and advisory services;
- Support for civil society organisations working on assistance and integration of refugees and on monitoring state practices in this regard;
- Consult with refugee organisations on their needs and responsibilities;
- Ensure an end to the status of Palestinian refugees under international law so that their rights may be guaranteed under the Geneva Convention and its 1967 Protocol without causing prejudice to their right of return.

Proposals for future EMHRN work

- Make a stronger impact on European refugee and migrant policy in a global perspective in particular by raising concerns of the South within the Barcelona process.
- Develop the vision of a region of free movement of peoples and translate the Barcelona Declaration into a plan of action for the protection of the rights of refugees and migrants.
- Raise the critical issue of the Palestinian refugees in the context of international law and UN resolutions.
- Tackle the root causes of forced migration and ensure specific reference to the protection of refugees in the Barcelona process and in this regard raise with states the human rights violations in the region.
- Develop an analysis and critique of the gap between real needs and current institutional arrangements, and of the declining respect for international standards and advocate for the implementation of international standards in the treatment of refugees and migrants.
- Promote brainstorming and research in the field as well as the linking of academics and advocacy.
- Monitor and report on Southern migratory flows with a focus on urgent action needed to aid refugees and migrants. Particular sub-issues would deal with Internally Displaced Persons; Palestinian refugees; returnees/deportees; and women.
- Improve understanding of the role and influence of media, religion and culture.
- Promote the diffusion of information on Partners' and members' actions and produce information sheets on the situation in the region.
- Encourage more 'South-South' dialogue and focus on the reality of, and challenges to, democratisation in the South.
- Strengthen civil society organisations, especially in the South, and support and fund local initiatives.

- Assist in the legal training of NGOs, with the aim of developing their capacity to assist victims and to lobby, including lobbying donor organisations.
-
- Develop advocacy programmes directed at EMP governments for the change of laws, and in this regard assist its partners and members in the South.
- Increase transparency in the work of EMHRN, improve the processes of dialogue and consultation inside and outside the network, complement the work already done by other organisations or networks and engage in a dialogue with refugee and migrant associations.
- Undertake an inventory ('stock-taking') of the network after five years of development.
- Publicize a Declaration on the question of refugee and migrant rights before the EMP meetings in Valencia, April 2002.

ANNEX 6E: DOCUMENT PREPARED FOR THE PALESTINE WORKSHOP

Concept Paper for the Euro Mediterranean Human Rights Network: Israel and the Occupied Palestinian Territories

INTRODUCTION

In present and past years systematic and gross violations of human rights and humanitarian law have led to an unbearable situation in the Occupied Palestinian Territories causing wide distress and suffering.

The Palestinian citizens of Israel as well as the Palestinian refugees suffer from violations of human rights.

Governments in the region and in the West have failed to root their actions in international law and human rights standards and have described the situation as an armed conflict between two (more or less) equal powers. Current events and international response tend to obscure the fact that the root cause of the conflict is military occupation and that the civilian population is in need of urgent protection according to international law.

The Israeli occupation of the Palestinian Territories has been going on for 35 years during which the Palestinian people have been subjugated to the Israeli armed forces and its military regime.

In 1987 the first *Intifada*, the popular uprising of the Palestinian people against the occupation, led Israel to recognize the PLO as the legitimate representative of the Palestinian people. This culminated in the Oslo Agreement from 1993 and the framework principles set out to be achieved by the two parties. However, the Oslo process failed to provide the realization of the right to self-determination and the right of return, restitution/compensation for refugees, nor did it address the question of occupied East Jerusalem, or settlements. In particular, the Oslo process failed to root itself in international humanitarian law and human rights standards.

From the Oslo process onwards, no effective change to the status of the occupation has been introduced as there has not been any significant withdrawal of forces, and expansion and establishment of settlements with related infrastructure has been ongoing. Israeli violation of international humanitarian protection standards and human rights (political and civil as well as economic, social and cultural rights) has continued and its policy of annexation has led to the 2nd *Intifada* from September 2000.

Thus, from the point of international law, in spite of Israeli and media definitions, the current crisis cannot be termed as an armed conflict which would be ruled by the law of war (the Hague Convention of 1907 and the First, Second and Third Geneva Conventions): There are not two armies fighting each other, the sole army on the ground is the Israeli army. The *intifada* is an uprising of civilians (including members of Palestinian law enforcement agencies, which cannot be defined as an army) resisting a foreign occupation of their territory (the *intifada* also includes illegitimate and condemnable suicide bombings of Israeli civilians). Therefore, the Fourth Geneva Convention applies to the Occupied Palestinian Territories according to which the Occupying Power is responsible for ensuring respect of civilians' rights and the High Contracting Parties to the Convention, including the member states of the EU, are responsible for ensuring Israel's compliance with the Convention.

However, since September 2000 about 1,000 civilian Palestinian have been killed by Israeli forces, and about 18,000 injured. Systematic, mass violations have intensified throughout this period. Deliberate targeting of civilians and collective punishment have included: massive attacks on the population using heavy weaponry (such as helicopter gun ships, gunboats, F-16 war planes, tanks, APCs, armoured troops); extensive destruction of property (such as house demolitions, destruction of land, property and crops); severe restrictions on freedom of movement, leading to ill effects on health,

economy, access to work, education, and humanitarian aid and services (total and partial internal/border closures with checkpoints and trenches; and curfews); mass arbitrary arrest and detention; the use of civilians as human shields; shooting at ambulances; the use of torture and other ill treatment; and possible crimes against humanity in refugee camps.

The military occupation is the root cause of the situation including the violations of human rights and humanitarian law in the Occupied Palestinian Territories. The failure to end the occupation and contain the escalation of the crisis indicate the need for:

- an effective, independent international presence in the Occupied Territories aimed at protecting the life of all civilians, Israeli and Palestinian, according to international humanitarian law;
- strong initiatives aimed at creating a just peace based on international human rights standards and humanitarian law;
- complete Israeli withdrawal from the occupied Palestinian territories in compliance with the relevant UN resolutions and international humanitarian law

THE EUROPEAN UNION

In the past decade member states of the European Union have demonstrated a lack of political will and power to assist in ending Israeli human rights violations in the Occupied Palestinian Territories. European states have abstained from supporting United Nations resolutions calling upon relevant UN bodies to consider the best ways of providing the necessary international protection for the Palestinian population.

The European Union is bound by its own declarations of respect for human rights which, according to the Declaration on Human Rights adopted at the Luxembourg European Council in June 1991, are an essential part of its international relations.

Thus, Article 6 of the Treaty of the European Union states that "*The Union shall respect fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950 and as they result from the constitutional traditions common to the Member States, as general principles of Community law*".

In establishing a Common Foreign and Security Policy, the Union's 'Second Pillar' Article 11 of the EU Treaty of Amsterdam states that "*The Union shall define and implement a common foreign and security policy covering all areas of foreign and security policy, the objectives of which shall be: to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms*".

On 1 June, 2000, the Association Agreement between the EU and Israel entered into force in which Article 2 states that: "*Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles which guide their domestic and international policies and constitute an essential element of the Agreement*".

Article 2 is a legally binding provision and the European Union, and its member states, thus have an obligation to address the serious human rights violations which are taking place in the territories occupied by Israel as well as towards the Arab minority in Israel; in particular it should evoke article 79 of the Agreement that enables the EU state signatories to take appropriate measures where Israel fails to fulfil any of its obligations under the agreement.

These measures can be taken immediately and unilaterally "in cases of special urgency", and arguably without recourse to further deliberations of the Association Council.

Until now there has been no concrete action by the European Union, and its member states, despite the fact that Israel's gross human rights violations amount to a clear breach of the Agreement, European Union has refrained from a suspension of the agreement while in the case of agreements with other third-parties it has taken action due to human rights violations, such as recently with regard to Zimbabwe and Liberia.

The EU should show its clear support to the Palestinian people's right to self-determination and to resist occupation and discrimination in accordance with international law. It should safeguard the credibility of its human rights commitment and its adherence to international humanitarian law by suspending the Association Agreement with Israel until it complies with its international obligations under human rights and humanitarian law (as recommended by the EU Parliament on 10 April, 2002).

FRAMEWORK OF THE EMHRN WORKING GROUP ON PALESTINE

On 2 December 2001, EMHRN established a Working Group (WG) on Palestine (see annex 1 for a list of participants). It consists of all members of EMHRN in Israel and the Occupied Palestinian Territories, in addition to European and regional members interested in the issue. Resource persons from international human rights organizations, development agencies, church based charities and solidarity groups also take part in the working group meetings.

The WG functions according to the mandate of EMHRN. It advocates its concerns according to international human rights standards and international humanitarian law, in particular the 1949 Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War – and in continuation of the analytical approach of the UN Commission of Human Rights of 16 March 2001.²² It will play an active role in aiding activities to end the occupation of the Palestinian territories and the implementation and respect for the Fourth Geneva Convention and international human rights law.

MONITORING

The working group will contribute to the strengthening of coordination, follow-up and timing of publication of reports, mission findings, statements, etc. so that information reaches the right people at the right moment and place in the EuroMed region. When appropriate it will promote joint actions between Israeli and Palestinian organisations and between national and international organisations

It will facilitate the multiplication of missions to the region and seek to ease the workload put on local organisations in this regard. It will establish guidelines for various types of missions to Israel and Palestine, gather a list of relevant experts who will be available for missions to the area as well as diffuse a manual for monitoring missions, based on the work of ICJ-Sweden.

Finally, in consultation with other organizations the WG will define in which fields EMHRN can bring added value to the field and send missions to the area accordingly.

ENDING IMPUNITY

The working group will strengthen networking to end impunity with adequate investigation into and prosecution of crimes against civilians. In so doing the WG will advocate for the High Contracting Parties under the Fourth Geneva Convention to meet their obligations and take effective measures to end Israel's systematic violations of the Fourth Geneva Convention, including systematic and grave breaches of Article 147 (namely war crimes).

²² E/CN.4/2001/21 by Richard Falk, John Dugard and Kamal Hussein. From the point of international humanitarian law, the Mitchell Report (as well as the Tenet proposal), although often quoted in the United States and Europe, is not a reference paper. Both reports did not apply international humanitarian law as a reference.

Examples of attempts to end impunity include the case in Belgium against Ariel Sharon and others involved in the massacres in Sabra and Shatila in 1982 and the case against Carmi Gillon in Denmark.

The working group will conduct a feasibility study for a tribunal of human rights violations in the Occupied Palestinian Territories.

It will promote the gathering of evidence of war crimes in Israel and Palestine. It will monitor travels abroad of perpetrators of human rights violations, in particular those responsible for torture. It will also accumulate information about European countries' legislation with the aim of taking legal action to end impunity. The working group will translate Israeli court decisions and make them known to colleagues within law administration in Europe, and thereby diffuse information across various fields in Europe about the practice of human rights violations.

PROTECTION AND ADVOCACY

In order to achieve full implementation of the Fourth Geneva Convention and human rights covenants and conventions, the WG will work towards strengthening the capacity of existing organizations in Palestine and Israel to lobby the European Union to take a stand on humanitarian and human rights principles related to Palestine. The working group will publicize principles of humanitarian and human rights law to the public and decision makers and advocate for effective measures to be taken to enforce article 2 of the Association Agreement (regarding respect for human rights) such as suspending the Agreement until Israel complies with its international obligations.

NETWORKING

The working group will networking with development agencies, church based organizations, humanitarian aid organizations, international human right organizations, and solidarity groups and will in this regard promote an approach to peace based on human rights and humanitarian law.

Khader Shkirat (General Director of LAW Society) is the convener of the group with the assistance of EMHRN secretariat and will report to the EMHRN Executive Committee and to the members of EMHRN.

EMHRN will grant financial resources to WG activities and will raise funds to employ a WG coordinator in Brussels. The EC has established a sub group composed of Bahey El Din Hassan, Kamel Jendoubi, Eva Norstroem, Marc Schade-Poulsen and Khader Shkirat to facilitate activities in this regard.

PALESTINE WG MEETING
Geneva, March 23-24 2002

PARTICIPANTS
 (* members of the EMHRN and of the WG)

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ANNEX 7: DECLARATION OF THE GENERAL ASSEMBLY CONCERNING THE VIOLATIONS OF FOREIGN DETAINEES' RIGHTS IN GREECE

45 RIGHTS GROUPS FROM 21 EURO-MEDITERRANEAN COUNTRIES DECRY FREQUENT AND GRAVE VIOLATIONS OF FOREIGN DETAINEES' RIGHTS IN GREECE

Athens, 15 June 2002.

The undersigned NGOs, meeting in Athens between 13-15 June, 2002 in the framework of the General Assembly of the Euro-Mediterranean Human Rights Network (EMHRN), and having been informed on the situation of migrants and refugees in Greece, would like to express their great concern about the frequent and grave violations of the rights of thousands of foreigners who arrive or live in Greece as (potential) asylum seekers or (un) documented migrants and are detained pending judicial or administrative deportation.

Greek NGOs have documented an almost systematic absence of competent translators during examination by law enforcement officials or in court. Moreover, the Greek authorities frequently fail to inform foreigners of their rights, refuse to provide asylum application forms, or even provide misleading information. Undocumented migrants or asylum seekers have often been tried without benefit of legal counsel, and sentenced to imprisonment or deportation after trials lasting only a few minutes. Detention conditions are in many cases degrading and inhumane, and access to lawyers and NGOs has been severely and arbitrarily limited. When authorized representatives of detainees have requested the full documentation for their cases, the authorities have denied this, on the grounds that this might hinder efforts to deport them.

We welcome last week's statement by the Council of Europe's Commissioner for Human Rights, Alvaro Gil-Robles, that "Greece should not forget that deportees are human beings, too"; and we appeal to the Greek authorities to radically revise their treatment of foreigners under arrest, detention, trial or deportation. We also call upon all inter-governmental organizations (UN, OSCE, CoE, EU) to use all of their mechanisms (expert committees, special rapporteurs, commissioners, etc.) to review this situation regularly and to urge Greece to honour its human rights commitments, in this as well as in many other areas. They should review Greece's record and judge it according to universal international standards which protect the rights of detainees and the rights of refugees.

International NGOs

Amnesty International (AI)

Article 19

Euro-Mediterranean Human Rights Network (EMHRN)

Fédération Internationale des Ligues de Droits de l' Homme (FIDH)

Human Rights Watch (HRW)

International Helsinki Federation for Human Rights (IHF)

Organization Mondiale Contre la Torture (OMCT)

Greek NGOs

Greek Committee for International Democratic Solidarity (EEDDA)

Greek Helsinki Monitor (GHM)

Other National NGOs

Al Urdun Al Jaded Research Center (Jordan)

Arab Association for Human Rights (Israel)

Arab Organisation for Human Rights in the UK

Association Démocratique des Femmes de Maroc

B' Tselem (Israel)

Cairo Institute for Human Rights Studies (Egypt)

Center for Media Freedom, Middle East and North Africa (UK)

Collectif 95 "Magreb Egalité" (Algeria/Morocco/Tunisia)

Comite pour le Respect des Libertés et des Droits de l' Homme en Tunisie (France)
Committee for Defense of Human Rights (Syria)
Conseil National pour les Libertés en Tunisie
Danish Center for Human Rights
80:20 Education and Acting for a Better World (Ireland)
Espace Associatif (Morocco)
Fédération des Tunisiens pour une Citoyenneté des Deux Rives (France)
Foundation for Human and Humanitarian Rights (Lebanon)
Foundation Réne Moawad (Lebanon)
Human Rights Association (Turkey)
Institut Arabe des Droits de l'Homme (Tunisia)
Intercenter (Italy)
International Association for Human Rights in Cyprus
Italian Refugee Council
Italian Helsinki Committee
LAW Palestinian Society for the Protection of Human Rights and the Environment
Libyan League for Human Rights
Ligue Algérienne des Droits de l'Homme
Ligue Algérienne pour la Defense des Droits de l' Homme
Ligue des Droits de l' Homme (France)
Ligue Tunisienne des Droits de l'Homme
Mediterranean Academy of Diplomatic Studies (Malta)
Norwegian Council for the Rights of Kurdish People
Norwegian Helsinki Committee
Organisation Marocaine des Droits Humains
Rights and Freedoms Association (Cyprus)
Soutien aux Libanais Détenus Arbitrairement (France/Lebanon)
Swedish Refugee Council

ANNEX 8: PRESS RELEASE.

Human Rights in the Mediterranean: Convening of a hundred human rights defenders at the 5th General Assembly of the Euro-Mediterranean Human Rights Network (EMHRN).

Around a hundred human rights defenders from the Euro-Mediterranean region met in Athens, 13-15 June 2002 for the EMHRN women's rights seminar and 5th General Assembly.

The participants expressed their deep concern about the absence of Mokhtar Yahyaoui, a Tunisian judge who was deprived of his passport by the Tunisian authorities and was unable to leave the country. Also Iyad al-Alami and Hamdi Shaqura from the Palestinian Center for Human Rights were unable to attend the General Assembly as they were unable to leave the Gaza strip after having waited 13 hours at the Rafah border crossing.

The General Assembly (GA) expressed their support for Mr Zouhair Yahyaoui, who was arrested on 4 June, and risks up to five years imprisonment for diffusing information on the internet (via his site: www.TuneZine.com) as well as for Marwan Barghouti, still held in solitary confinement by the Israeli authorities and subject to harsh interrogation methods.

Participants also expressed their deep preoccupation with the conviction of former Jordanian MP Toujan al-Faisal who was sentenced to 18 months of imprisonment following new laws limiting freedom of expression in Jordan, and who now suffers from serious health problems.

The GA was also deeply worried by information on the frequent and grave violations of foreign detainees' rights in Greece and adopted a statement in this regard.

The participants discussed the promotion of women's human rights within the Euro-Mediterranean Partnership (EMP) identifying the key women's rights problems, key organisations and well as analysing the initiatives with regard to women's rights within the EMP. Participants agreed on the need for the EMP to be more sensitive to gender issues in all its programs and at all level of programming, implementation, and evaluation of projects. The participants also urged the human rights organisations to give more attention to women's right issues.

The GA expressed their deep concern about the increased attacks on human rights following the changes in the environment after the 11th September. It was noted that the increased focus on security issues has undermined attention toward the human rights protection of Palestinian and Kurdish civilians as well as led to a general neglect for ongoing human rights abuses.

The GA took major steps in strengthening its work on Human Rights Education; the creation of a Euro-Med Human Rights Solidarity Fund; Justice; Migrant and Refugees; and Palestine.

ANNEX 9: DECLARATION ON THE ESTABLISHMENT OF A KURDISH WORKING GROUP

At the 5th General Assembly of the Euro-Mediterranean Human Rights Network (EMHRN) in Athens, 14-15 June 2002, a group of the participants met to discuss the feasibility of a working group to focus on EMHRN's activities related to the Kurdish situation.

It was decided to seek the approval of the Executive Committee of the EMHRN to establish a Kurdish Working Group (KWG). The objects of the KWG would be to assist EMHRN and execute on its behalf various activities for the protection and promotion of the human rights of the Kurdish people.

The scope of the work and the working methods of the KWG will be determined in consultation with the Executive Committee.

The members of the KWG will at the present consist of:

Hussain Shaban (Iraq/UK)
Eva Norstroem (Sweden)
Aktham Naisseh (Syria)
John Rud (Norway/Spain)
Kamel Jendoubi (Tunisia)
Valery Duffy (Ireland)
Nazmi Gür (Turkey)

Hussain Shaban will be responsible for the coordination with the South and with Kurdish groups and organizations in Iraq and Iran. John Rud will be responsible for coordination with the North. Kamel Jendoubi will coordinate with the Executive Committee. Nazmi Gur will be responsible for consultation with the various relevant Kurdish groups and organizations in Turkey. Aktham Naisseh will have the corresponding responsibility in Syria.

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PART 2: ANNUAL REPORT OF ACTIVITIES 2000-2002

1. INTRODUCTION

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

The purpose of the present report is to describe the activities of the EMHRN that has been carried out within this framework. As such the report provides a detailed overview of EMHRN activities and should be read as background information to the conclusions of the enclosed progress report and to the separate financial report.

The report is built-up according to the Action Plan, the progress report and the financial narrative and narrates regional initiatives, thematic initiatives, and actions regarding countries.

The report of activities does not confine itself to the description of one year's activities. This is due to the fact that it has not been possible for the EMHRN to hold an annual General Assembly.

Thus the 4th AGM was held in November 2000 which did not allow for the presentation of a full narrative and financial report of year 2000 activities. The 5th General Assembly Meeting takes place in June 2002 and makes it relevant to provide information about activities held in the first part of 2002.

Accordingly, the report narrates activities that took place in year 2000 and 2001 with a specific focus on year 2001 and on activities undertaken by the EMHRN since it became an independent NGO in February 2000. Those are the activities that are accounted for in the EMHRN financial report.²³

The report also narrates activities that were undertaken during the first five months of year 2002 in order to keep members updated about the undertakings of the EMHRN. However as the financial report follows the financial year, readers will have to consult the budget for year 2002 in order to get an estimate of costs related to these initiatives.

2. MEETINGS OF EMHRN EXECUTIVE BODIES

In the report period the Executive Committee (EC) met in Amman, Paris, Stockholm, Beirut, Brussels and Madrid, Athens and Valencia; and the EMHRN held a General Assembly meeting in Marseille.

A. Meetings in year 2000

In Amman, 19-20 January 2000, the EC continued developing a strategy plan and priorities for future EMHRN work.

It was decided to opt for the strategic choice of linking EMHRN work to the official Euro-Mediterranean Partnership (EMP) agenda, while at the same time acknowledging the limits of the concept of the Barcelona Process.

The EC agreed to give priority to the development of human rights mechanisms in relation to the EMP, to: the participation in the Civil Forums, as well as dialogue with governments.

Thematic priorities were defined as the protection of human rights defenders, including freedom of association and expression; human rights education; migrants' rights and the rights of asylum seekers; women's rights; self-determination and the rights of refugees; and justice, including penal reform and access to justice. It was also decided to start elaborating country strategies.

²³ This means that activities undertaken in year 2000 in relation to its 1998-contract with the EU Commission in the name of the Danish Center for Human Rights.

At the Paris meeting 17-18 April 2000, the main issue became the elaboration of thematic priorities, the detailed planning of the Civil Forum in Marseille and the opening of an office in Brussels.

On 10-12 September 2000 the EC met in Stockholm where it finalised the action plan and prepared the EMHRN General Assembly that was held in Carry Le Rouet, Marseille, 7-8 November 2000.

Participants adopted the Plan of Action, issued a number of recommendations for future work, adopted changes in the statutes (one allowing the NGOs from Libya to become full members of the EMHRN and the other expanding the number of executive committee members from seven to nine) and elected the new Executive Committee (for details, please see the report from the 4th AGM).

B. Meetings in year 2001

The new EC convened for a meeting in Beirut 2-3 February, 2001, the main purpose of which was to discuss how to make the AGM recommendations operational and the establishment of by-laws and membership criteria.

It was decided to hold a human rights education workshop in Lebanon in May, and to change the format of the postponed women's right conference (see below). It was also decided to organise a seminar on refugees and asylum seekers as well as the holding of a seminar on the MEDA programmes in autumn. It was decided to re-advertise the post as coordinator in Brussels, as the former candidate had withdrawn (see below).

In Brussels, 23-24 June 2001 the EC decided to establish a 'Management Group (MG)', consisting of three members of the Executive Committee, to whom the Secretariat would refer between EC meetings (i.e. Kamel Jendoubi, Colm Regan and Morten Kjaerum).

The EC adopted a paper on internal procedures which describes the role and functioning of the Executive Committee, its members and the Secretariat and the relations between them.

Each Executive Committee member was given the political responsibility for a key priority field of work of the EMHRN as follows:

Abdelaziz Bennani, Justice; Kamel Jendoubi, Tunisia, Civil Forum; Morten Kjaerum, Dialogue with governments, MEDA Programs; Colm Regan, Human Rights Education; Khader Skhirat, The Palestinian question; Driss El Yazami: Women's rights; Bahey El-Din Hassan, Freedom of Association and Expression and Protection of Human Rights Defenders; Nazmi Gur, Migration; Eva Norstroem, Refugees and Asylum Seekers; Kerim Yildiz, Finances.

The main points of the agenda of the Madrid meeting (29-30 September, 2002) dealt with EMHRN response to the 11 September events, the World Conference Against Racism in Durban and the internal functioning of the Network.

The EC adopted a statement on the 11th September attacks and decided to support a symposium organized by the Cairo Institute for Human Rights Studies on terrorism and human rights. It was agreed to continue the discussions of an EMHRN strategy in relation to the World Conference Against Racism in Durban at the forthcoming EC meeting and to move ahead with the establishment of a working group on Palestine.

The role and functioning of the Brussels office was discussed. It was decided that the Brussels office works within the framework of the Secretariat and Kamel Jendoubi was appointed as the political referent to the EC.

It was decided to follow preparations of the Civil Forum in Spain carefully and it was suggested to hold the EMHRN AGM in connection with the Civil Forum.

C. Meetings in year 2002

The EC meeting of the EMHRN scheduled for 1-2 February 2002 was postponed to 28 February- 1 March 2002 and took place in Athens. The EC discussed EMHRN participation in the Civil Forum in Valencia and decided that the EMHRN despite difficulties in preparations would assist its Spanish colleagues in organising a human rights workshop. It decided to participate in post-11th September events by co-sponsoring an international conference on the question of the fight against terrorism and human rights in London, 11th September 2002.

It approved the concept paper prepared by the Working Group on Palestine. It also discussed an internal evaluation of the Conference on migration, refugees and human rights in Trieste, attended by the Executive Director, the President and four members of the Executive Committee. On that occasion, awaiting for the Conference evaluation, it was decided to write a letter to the Italian Refugee Council asking them not to use the conference in support of an announced Observatory on Migration and Refugees in Trieste (for further details, please see below).

The EC also discussed the forthcoming General Assembly and decided not to hold it in relation to the Valencia meeting but in Greece, early June. It was decided to hold an extraordinary EC meeting on 15 April in connection to the Civil Forum in Valencia in order to evaluate EMHRN work, EMHRN main functions; technical and political follow-up to EMHRN work, and visions for the future.

On the occasion of the all EC meetings, members met with representatives of national authorities, NGOs, and representatives of local human rights institutions.

3. OFFICE IN BRUSSELS

In the past period, the EMHRN opened an office in Brussels. As mentioned above, the EC decided in Paris to open an antenna of the secretariat in Brussels following which the EMHRN announced a job vacancy. Out of 17 applicants, five were chosen for job interviews that took place in Paris on September 7, 2000.

In Stockholm September 2000, the EC chose the candidate with whom to negotiate a contract. Regrettably, the nominated candidate decided not to accept the conditions offered by the EMHRN. Therefore, the new EC re-announce the post and five new candidates (out of twelve) were interviewed in Paris on 31 May 2001.

At the EC meeting in Brussels, June 2001, it was decided to employ Ms Sandrine Grenier as the Brussels coordinator. Ms Grenier has demonstrated broad experience with the working of the EU Institutions and with human rights promotion.

On September 1, 2001, the EMHRN opened its office in Brussels. It has since then promoted the EMHRN and its members' policies in relation to the EU institutions, and it has begun systematising and expanding its information service to the members. Activities of the Brussels office are included in the report below.

4. REGIONAL MECHANISMS

A. MEDA Programmes

In July 2001, the EMHRN initiated a study on the human rights implications of the MEDA programmes and in the following months Iain Byrne, then-research fellow at the Human Rights Centre at the University of Essex and Charles Shamas, Senior Advisor, MATTIN Group Jerusalem carried out interviews in Brussels and desk studies of MEDA programming documents.

A draft report was presented at the training seminar organised by the EMHRN in Brussels, 7-9 November 2001. The report is divided into an introductory part discussing the role of the EMP in terms of democracy promotion as well as the relation between development and human rights. The

second part presents three main components of the MEDA Programs: Institution building and civil society; Economic and social alleviation; and Structural adjustment. Finally, the report discusses EU programming and implementing exercises from the perspective of regional and country strategies and regional and national indicative programmes.

The seminar entitled *The MEDA Programmes and the Human Rights Implications of the EU's Assistance to its Mediterranean Partners* gathered about seventy participants from the region and dealt with the following issues: Human Rights and Democracy Promotion in the Barcelona Process; Democracy Promotion and Economic Development: The Economic Chapter of the Barcelona Declaration; Presentation of the EMHRN Report on the Human Rights Implications of the MEDA Programmes - Background, Results and Perspectives; Civil Society Projects and Institutional support in the MEDA Programmes; MEDA Programmes and Economic and Social Cohesion; MEDA Programmes and Structural Adjustment; Incorporating Human Rights into Programmatic Aid - Other Models; The MEDA programmes and Human Rights: How to Influence Decision-Making Processes.

The participants positively evaluated the seminar. Taken together the research process and seminar seem to have left a clear fingerprint in EU Commission policies with regard to human rights and economic assistance in the Mediterranean region.

B. EuroMed Committee for the Barcelona Process

The EMHRN did not launch a comprehensive paper on the idea of establishing an independent human rights committee under the Euro-Mediterranean Committee for the Barcelona process as the opportunity arose to present the concept during the EuroMed Conference on Access to Justice, Uppsala, April 2001 (see below). On this occasion the EMHRN did considerable efforts to promote the idea of an expert group by briefing the Commission and representatives of the Swedish, Belgium and Spanish government about the proposal.

The EMHRN recommendation was adopted in the main conclusions of the conference and the proposal has since then been circulated and presented at all relevant meetings EMHRN had with representatives of EMP institutions. Recently it was promoted in a letter to the ambassadors in charge of the Barcelona process on the preparation of the EMP Home and Justice Program (see list of press releases and letters) and in the letter addressed by the EMHRN to the Ministerial Meeting. The Communication of the Commission in preparation of Valencia and the Conclusions of the Valencia Ministerial meeting, April 2002, mention for the first time the possibility of a more structured dialogue on human rights.

C. The Euro-Mediterranean Inter-Parliamentary Forum (EMIPF)

In the past period the EMIPF did not conclude with substantial initiatives regarding its future functioning and the EMHRN did not take particular initiatives in relation to the two gatherings of the EMIPF (8-9 February 2001; 8 November 2001). However, the EMHRN did succeed in having its proposal for a human rights committee under the EMIPF included in the EU Parliament resolution on the Commission Communication to the Council and the European Parliament to Prepare the Meeting of Euro-Mediterranean Foreign Ministers, Valencia 22-23 April, 2002.

D. Association Council Meetings

The EMHRN published statements in relation to Association Council meetings between the EU and Morocco (9 October 2000), between the EU and Tunisia (30 March 2001), and the EU and Israel (20 November 2001) and it cooperated with international NGOs on several of these occasions. In addition, it took part in joint efforts of Brussels NGOs to influence EP debate on Egypt in relation to 'avis conforme' procedure (29 November 2001) (for more details, please see below under country issues).

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

E. Other initiatives

- The EMHRN web site has been functional for two years. In the past period, the EMHRN forwarded approximately 100 news releases (once a week) to its now more than 800 subscribers. The EMHRN also launched an Arabic version of its web site on 1 April 2001 with the support of the Foreign Office, UK. The EMHRN Web site is today visited by several hundred people.
- In November 2000, the EMHRN published the Arab version of its *Guide to Human Rights in the Barcelona Process* which was widely distributed to civil society representatives in the Arab speaking part of the region (with the assistance of the CIHRS).
- The EMHRN promoted its recommendations at a number of meetings with EMP and EU representatives, at the monthly Human rights contact group meetings in Brussels, at the EU bi-annual human rights discussion forums, and at the EuroMesco Annual meeting (EuroMed Foreign Policy Network
- It held several bilateral meetings with other NGOs based in Brussels, in particular human rights NGOs, in order to co-ordinate actions and it developed contacts with Brussels based political Foundations.
- It met Commission's officials on numerous occasions prior and after to EIDHR (European Initiative for Democracy and Human Rights) missions to priority Mediterranean countries

5. KEY INITIATIVES

The EMHRN has closely followed and taken part in the civil society meetings organised in parallel to the EMP Foreign Minister meetings.

A. Civil Forum, Year 2000

In particular, the EMHRN invested a good deal of its human resources in preparing the Civil Forum in Marseille, November 10-12, 2001.

The EMHRN was among the main organisers of Conference in Stuttgart, April 1999, on Civil Society and Human Rights in the Mediterranean which was the first of its kind in the EMP context that gathered representatives of independent NGOs from the whole region and also initiated dialogue with Ministers of the EMP.

In order to promote the Stuttgart *acquis*, the EMHRN decided to initiate cooperation with the FIDH in order to ensure that human rights also figured in a prominent place during the Forum of Marseille. For almost one year EMHRN representatives in Paris took part in the meetings of the NGO coordination committee.

Furthermore, the EMHRN sought to strengthen the preparatory phase of the Civil Forum by involving its members in a debate about the future of the Barcelona process.

Thus, the EMHRN organised meetings on the EMP at a number of relevant occasions:

- At LAW's conference on "Culture and Community in Jerusalem: Strategies to Protect and Promote Human Rights", 5-7 June 2000 in Jerusalem, a special session organised by the EMHRN was devoted to discussing human rights in Israel, the PNA and the Barcelona process and followed-up by an informal workshop on the same issue on June 8, 2000.
- On 5-7 October 2000, the Network organised a regional seminar on the Freedom of Association in the Euro-Mediterranean Region during which a special session was devoted to the Barcelona process and the Civil Forum (for details see below).
- On 18-21 October 2000, the EMHRN co-organised a conference entitled from *Stuttgart to Marseille* in Stuttgart (in cooperation with the city of Stuttgart, the Friedrich Ebert Foundation, the Heinrich Böll

Foundation, etc.) in conclusion of which a letter was drafted that highlighted the *acquis* of the Stuttgart Civil Society Conferences. 24

- The EMHRN funded the participation of ten of its members in a human rights education conference organised by the CIHRS, *A 21st Century Agenda The Second International Conference of Human Rights Movement in the Arab World*, 13-16 October 2000, Cairo the results of which were fed into the debates of the general assembly (see below).

- The EMHRN also planned to organise a conference on women's rights in the Mediterranean in cooperation with the FIDH and entitled: *Women between physical and symbolic violence*. A preparatory meeting took place in Marseille, 6-7 July 2000, but the conference had to be cancelled due to the Al Aqsa Intifada. (See below).

- By organising its General Assembly shortly before the Civil Forum in Marseille, the EMHRN facilitated access of its members to the Civil Forum. In addition, it invited the major international human rights NGOs to participate in the publication of a joint report and press conference that dealt with the first five years of the Barcelona process. The report was published in English and French by the participating organisations and later translated by the EMHRN into Arabic.

B. Activities in Year 2001

On 28 March the EMHRN (with the FIDH) met with Belgium ambassador to the Barcelona Process, to discuss the forthcoming civil forum under the Belgium Presidency. The EMHRN was informed about preparations taking place and the EMHRN offered to contribute to the preparations. As little substantial information subsequently was transmitted to the EMHRN about preparations and as many resources seemed to be needed to ensure a satisfactory role for human rights, the EMHRN decided to downscale its involvement in the event and to focus on the Civil Forum under the Spanish Presidency.

The EMHRN Brussels Coordinator attended the Brussels Forum for the EMHRN and several members were also present. On the same occasion, the report from the human rights and rule of law workshop from Marseille, 2000, was published in cooperation with the FIDH.

In addition, the EMHRN training seminar on the MEDA programmes was timed to take place in relation to the Ministerial meeting in November 2001. During the meeting, the participants forwarded a declaration to the Ministers about the human rights situation in the Mediterranean.

In April 2001, EMHRN representatives met with the Spanish ambassador to the Barcelona Process in Madrid, Spain, and with representatives of Spanish NGOs to discuss the planned civil forum under the Spanish presidency of the EU. They also discussed possible scenarios for the Civil Forum with NGO representatives. The initiative was followed-up under the EC meeting in Madrid and at a co-ordination meeting in Valencia on 19 December 2001.

C. Activities in year 2002

Due to internal Spanish discussions preparations of the Civil Forum did not take off until a meeting on March 3, 2002 (followed-up by another meeting on 27 March, 2002) at which the EMHRN was represented. In the meantime the EMHRN had downscaled its expectations to the Civil Forum and mainly joined in to ensure a human rights input to the Forum, to strengthen contacts with Spanish NGOs and to take part in an initiative of EuroMed networks and organisations to review the Civil Forum format.

The final program of the Civil Forum became dominated by the situation in Palestine. The EMHRN in cooperation with the Amnesty International, Valencia, the FIDH, and Human Rights Globalisation organised a workshop on *The Human Rights Situation in the Euro-Mediterranean Region since Marseille, 2000: The consequences of the Al Aqsa Intifada and the 11th September* during which a 12

24 'Giving Real Life and Meaning to the Euro-Mediterranean Partnership'. Letter from Stuttgart to Marseille, adopted at the conference "From Stuttgart to Marseille", Stuttgart, 21-22 October 2000 (available on the EMHRN Web site).

point proposal for a declaration on Palestine was drafted and adopted in its integrity by Civil Forum participants.

On Friday 12 April, the EMHRN took part in a meeting with EuroMed networks, organisations, foundations and institutions who played major roles in organising past civil forums. It was agreed to ask the Commission to review the format of the Forums and to initiate informal dialogues on how to organise the Civil Forums in a more constructive way as well as strengthening civil society participation in the Barcelona process.

Finally, the EMHRN forwarded a comprehensive letter to the Foreign Ministers of the EMP describing its main human rights concerns and asking that human rights be on the top of the agenda of the Ministerial meeting.

D. Dialogue with governments

The EMHRN has systematically fed EMP governments with reports, press releases and news from the region. Information has also been addressed to the EU delegations, EU Parliamentarians and representatives of the Commission and the European Council. In addition, the EMHRN was represented at key conferences on Euro-Mediterranean issues.

In order to strengthen contacts with EMP governments, the EC decided that two of its annual meetings take place in EU countries having the up-coming Presidency of the EU while a third EC meeting takes place in a South Mediterranean country. In relation to the EC meetings, encounters are organised with government representatives and with local NGOs.

In the past period, the EMHRN had meetings with representatives of the Belgium, Danish, Egyptian, Finnish, French, Greek, Lebanese, Spanish and Swedish governments. Exploratory meetings took place with representatives of the Arab League's Human Rights Commission in order to investigate possibilities for cooperation. EMHRN mission members had contacts with Moroccan government officials in relation to legislation on public freedoms and the EMHRN memorandum on this legislation (Autumn 2001). Furthermore, letters were exchanged with Syrian authorities and Jordanian government. In addition meetings were organised with representatives of inter-governmental bodies such as the EU Commission and Council, and the UNHCR.

Finally, by co-organising the EMP conference on Access to Justice in the Euro-Mediterranean region the EMHRN cooperated on a major official EuroMed initiative with the Swedish, Danish and Finnish governments which was also sponsored by Algeria, Morocco and the Palestinian National Authorities.

However, work on a tool-box proposal did not set-off and the EMHRN did not launch a concerted series of dialogues with governments which is why an evaluation document was not produced for the AGM in Athens as promised in the Action Plan.

6. THEMATIC PRIORITIES

A. Protection of Human Rights Defenders, including freedom of association and freedom of expression

1. Cooperation with international NGOs

In January 2001, the EMHRN coordinated a meeting on Palestine with the participation of the leading international NGOs and its Israeli and Palestinian members. Participants²⁵ at the meeting discussed how to approach the conflict in terms of human rights and how to strategize and coordinate action. They discussed ways to change European perceptions of the situation Palestine and how to arrive at peace on the basis of a human rights approach. In addition, they listed a series of possible future

²⁵ Sieglinde Weinrenner, EZE/Germany; Dianne Luping, LAW/Palestine; Nathalie Mevaliz, OMCT; Colm Regan, 80:20; Marc Schade-Poulsen, EMHRN; Lotte Leicht, HRW; Hanny Megally, HRW; Liz Hodgkin, Amnesty International; Per Stadig, ICJ-Sweden; Arjan Le Fassed, ICCO; Jamil Dakwar, Adalah; Fiona McKay, KHRP; Fateh Azzam, Ford Foundation; Ron Dudkin, B'Tselem; Bahey El Din Hassan, CIHRS; Khader Shkirat, LAW; Marwan Bishara, American University, Paris.

activities. As such the meeting was constructive and timely organised to strengthen mutual understanding between human rights NGOs working with Palestine in a time of crisis.

In the past period, the EMRN also cooperated with international NGOs regarding missions and appeals on a number of occasions. For details of the activities, please see below and the list of meetings and press releases in annex.

2. EuroMed Foundation for Human Rights Defenders

In November 2001, the EMHRN finalised a proposal for a feasibility study regarding the establishment of a EuroMed Human Rights Foundation aimed at providing readily available funds to cover 1. urgent actions when individual human rights defenders are in danger; 2. initiatives whose timing is crucial for their success; 3. basic costs and activities of organisations and groups that work in countries where explicit support by foreign donors may endanger NGOs; 4. activities by individuals or organisations who have not yet gained mainstream donor recognition; who do not have the capacity to maintain relations with these; or who work with issues that are too sensitive to receive main donors' support. The feasibility study project was approved by the donor (DANIDA) and then brought to a temporary halt caused by the change of the Danish government. In April 2002, the EMHRN was able to resume the work in cooperation with DANIDA.

3. Trial monitoring network

No progress was obtained but several NGOs working in the field described the project as viable and relevant.

4. Freedom of association

On 5-7 October, 2000, the EMHRN in cooperation with the Association of Moroccan Democratic Women (ADFM), Espace Associatif (Morocco), and the Moroccan Organisation for Human Rights (OMDH) organised a seminar in Casablanca entitled *Freedom of Association in the Euro-Mediterranean Region: Towards Common Standards* in collaboration with the Arab Initiative on Freedom of Association (AIFA, coordinated by 'Adl and the Bunian Programme).

The seminar gathered 50 representatives of human rights organisations, development and women's NGOs, experts and representatives of international organisations and of governments.²⁶ The objective was to

- situate the question of freedom of association in a Euro-Mediterranean context and to review the current state of affairs in the light of the democratic principles and criteria that should guide legislation with respect to freedom of association.

- adopt a work programme and identify the means for promoting freedom of association in the context of the Barcelona process in synergy with ongoing initiatives, in particular the Action Plan and Declaration of Freedom of Association of Amman (see also previous annual report).

The seminar was opened by Minister of Human Rights, Mohammed Aujjar, and by a written address of High Commissioner Mary Robinson. Regretfully the events in Palestine, the start of the Al Aqsa Intifada, overshadowed some of the proceedings as it prevented several participants from attending the meeting. However, the seminar succeeded in drafting a rich and powerful declaration on freedom of association on the region. The Declaration was published and widely circulated in hard cover in October 2001.

In the follow-up to the seminar several contacts were made to examine feasibility of pursuing work on a regional level but these have so far not led to new initiatives within the framework of the EMHRN. Initiatives on a country level are outlined below.

²⁶ The seminar was planned during a meeting in Morocco in June 2000 with the participation of Ghassan Moukheiber (ADDL, AIFA), Fadhel Ghedamsi (LTDH), Khader Shkirat (EMHRN, AIFA and LAW), Kamal Lahbib (Espace Associatif), Mohammed Al Ahyane (OMDH), Bahey El Din Hassan (EMHRN and CIHRS), Leïla Rhiwi (ADFM), Uli Vogt (AIFA and BUNIAN Program), Mohammed Mouaqit (OMDH), Abdelaziz Bennani (EMHRN), Rachid Filali (Espace Associatif and AIFA) and Marc Schade-Poulsen (EMHRN).

5. Freedom of expression

The EMHRN did not initiate activities on a regional level. Initiatives on a country level are outlined below.

6. Other actions

The EMHRN conducted specific actions in defence of human rights activists in Egypt, Israel, Tunisia, Turkey, see below under country activities.

B. Justice, including equal access to justice

For two years, the EMHRN worked on a proposal for a seminar that would gather academics, government representatives and NGOs for discussions of human rights related issues within the official framework of the EMP. The aim was to contribute to develop the human rights agenda of the EMP and to develop spaces for dialogue on this issue.

Preparations took place in cooperation with Nordic EU country representatives and the Faculty of Law at Uppsala University around the theme of Access to Justice.

The draft program and list of participants were finalised by the EMHRN in December 2000 in close cooperation with expert members of the Network and the Uppsala Law Faculty. In January, 2001 the initiative was approved by the EuroMed Committee for the Barcelona Process as being part of the official agenda of the EMP and a consultancy contract was subsequently drawn up between Uppsala University and the EMHRN.

The conference was also included as part of the joint programme for external relations in the field of Justice and Home Affairs of the Swedish, Belgian and Spanish Presidencies of the EU and of the Commission.

The conference took place shortly before the Euro-Mediterranean meeting of senior officials in Montpellier, 2-3 May 2001, and as such, an important aspect of the Uppsala conference became to provide input to the development of a regional justice and home affairs program as proposed in the Commission Communication, 'Reinvigorating the Barcelona Process', and in the 'Common Strategy for the Mediterranean' by the European Council.

A preliminary report was issued shortly after the conference recommending amongst other the establishment of an expert group under the EuroMed Committee for the Barcelona process to advise these on matters pertaining to human rights. The final report in Arabic, English and French was finalised in Autumn 2001 and was ready for release in late Spring 2002.

- In Madrid, the EC approved a proposal to establish a working group on Justice which subsequently met in Brussels on January 7, 2002.²⁷

At the meeting it was decided to develop a concept paper to be presented at the General Assembly, to monitor the ongoing work of the EU under the Home and Justice Affairs, and to continue diffusion of the Uppsala recommendations. It was also decided to commission a survey report on justice in the Euro-Mediterranean region, which should be followed by a seminar.

On the basis of the WG meeting and the Uppsala recommendations and in preparation of a EuroMed expert meeting on 8 March, 2002, on a Regional Justice and Home Affairs Program the EMHRN forwarded a number of recommendations to the EMP foreign ministers, the Barcelona ambassadors, and the relevant members of the European Parliament, the EU Commission, the Secretariat Council and the Spanish permanent representation to the EU.

²⁷ Abdelaziz Bennani, EMHRN; Sandrine Grenier, EMHRN; Ahmed Othmani, PRI; Georges Assaf (cancelled participation due to illness); Caroline Stainier, individual member, EMHRN; Mokhtar Trifi, LTDH; Marc Schade-Poulsen, EMHRN.

C. Women's rights

In early 2000, the Regional Council of Marseille proved willing to support a conference on women's rights in the Euro-Mediterranean region in preparation for the Civil Forum in Marseille. Subsequently, the EC decided to give financial priority to the holding of the conference and to co-operate with the FIDH and the French Human Rights League on the organisation.

On 5-7 July 2000, a preparatory meeting was held in Marseille in order to establish a program for the Conference. 28 The following themes were adopted: Forms of Violence against Women ('legal violence'; violence by state and non-state actors, and socio-economic violence); Women Rights in the Barcelona Process; International Instruments for the Protection of Women's Rights; Strategies for Inscripting Equality into the Barcelona Process and for Reinforcing the Capacity of NGOs to Influence and Benefit from the Barcelona Process.²⁹

The Marseille conference preparations were co-ordinated at the FIDH office in Paris, and were more or less finalised when the Al Aqsa Intifada started and subsequently became necessary to postpone the event.

At the EC meeting in Beirut the postponed conference on Women's rights in the Mediterranean was discussed. It was agreed that the format and timing of the conference should be changed since the EMP summit already had taken place and it was suggested to inquire into the possibility of promoting the women's rights agenda according to another concept.

Subsequently, a project was designed to establish a report on the situation of women's rights in the region and on the role of the Barcelona process in this regard, and, on the basis of the report, organise a seminar in relation to the EMHRN General Assembly. The project was implemented from early 2002 by a research team composed of Rabea Naciri (Morocco) and Isis Nusair (with the support of the Heinrich Boell Foundation). They had a number of meetings with representatives of the European Parliament, the European Commission, the Belgian and Spanish governments and NGOs in February 2002, which constituted an opportunity to discuss concrete recommendations to the EMP and the EU for improving the situation of women in the region. A preliminary report was tested during a Women's workshop at the Civil Forum in Valencia (organised with the assistance of the EMHRN in cooperation with the Heinrich Boell Foundation).

D. Migrants, asylum seekers and human exchange

In pursuance of the AGM workshop on migration and refugees in Marseille, the EC suggested at its meeting in Beirut to organise a seminar in order to take stock of the work done and to see what role the EMHRN should play. It was suggested that the Italian Refugee Council host such a meeting. During Spring and Summer proposals were exchanged about the purpose and format of a conference while funds were made available by the EMHRN and the Friulia-Venezia region in Italy.

On 27 September a preparatory meeting took place at the Italian Refugee Council in Rome. 30 Participants agreed on an action-oriented format to the conference which would focus on strategies

28 The following took part in the preparatory meeting Nouria Ouali, ULB, Belgium; Roseline Tiset and Alain Fourest, LDH, France; Sa'eda Kilani, Arab Archives Institute, Jordan; Tania Helou, Lebanese NGO Forum, Lebanon; Rabea Naciri, ADFM, Morocco; Alya Chammari, Collectif 95 - Maghreb Egalité, Tunisia; Bochra Bel Hadj Hmida, ATFD, Tunisia; Donatella Rovera, Amnesty International; Dalila Romdhane, PRI; Odile Sidem-Poulain and Sara Guillet, FIDH; Driss El Yazami, FIDH and EMHRN; Kamel Jendoubi and Marc Schade-Poulsen, EMHRN.

29 In relation to the planned conference and in order to promote synergies among regional initiatives, Marit Floe Joergensen, EMHRN information officer, and Anna Bozzo, individual member of the EMHRN took part a conference organised by the Bruno Kreisky Forum (a member of the EMHRN) on 'Peace and Change in the Euro-Mediterranean – Women Taking Action' October 6-9, 2000, Vienna.

30 With the participation of Christopher Hein and Maria De Donato, Italian Refugee Council, Eva Norstroem and Nazmi Gür, EC members, Philip Rudge, individual member of the EMHRN, and Marc Schade-Poulsen, EMHRN.

and methodology and include a dialogue between representatives of international and inter-governmental organisations and NGOs.

A final preparatory meeting took place in Trieste on 19 December, 2001, 31 and the conference took place 18 -19 January, 2002, in Trieste, under the High Patronage of the Italian Ministry of Foreign Affairs (and also in cooperation with the MEDA Institute in Trieste).

The conference produced a report that is printed in annex. However, following participants' comments on the announcement of the creation of an Observatory on migration and refugees made during the Conference, the issue was therefore raised during the Executive Committee meeting in Athens. It was decided to finalize the evaluation report of the conference after the Executive Committee extraordinary meeting in Valencia, 15 April 2002.

In the meantime, the EC forwarded a letter to the Italian Refugee Council (CIR) in which it acknowledged cooperation with the CIR while protesting against the announcement of the establishment of an Observatory on Migration and Refugees at a press conference during the conference without any prior consultation. On 5 April 2002, The Italian Refugee Council (CIR) forwarded a letter to all members of the EMHRN including a copy of the letter from the EC. In the letter the CIR contests the way the EC handled follow-up to the conference as well as the EC understanding of how the Observatory was announced. All correspondence regarding the matter is reprinted in Annex.

- In the past period, the EMHRN also worked substantially on the situation of non-Palestinian refugees in Lebanon (see below).

E. Human rights education (HRE)

On 28-30 April, 2000, a first workshop on HRE was organised within the framework of the EMHRN (Bray, Ireland).

Based on an exchange of experience, participants from 80:20; Human Rights Centre, University of Essex, UK; CIHRS, Egypt; Arab Institute for Human Rights, Tunisia; and the Foundation for Human and Humanitarian Rights, Lebanon, agreed on a draft policy paper to be submitted for discussion and approval at the AGM in Marseille.

The Bray meeting was followed-up by a workshop at the General Assembly in Carry Le Rouet and the Second Working Group meeting took place in Beirut May 18-20, 2001. 32

The purpose of the latter was to formally set up the EMHRN Working Group on HRE; to discuss and agree on an initial structure and working process for the group; to debate and agree on a work agenda to learn from each other in a more structured.

Among the main future initiatives discussed were the production of a human rights reader; a Summer School; a Policy Document; an improved strategy for dissemination of documents; the development of a human rights education web site; a research project on current HRE practices in the region, and the need to develop a fundraising strategy for the human rights education agenda of the Network (a report from the meeting is available at the secretariat). A substantial part of the work is about to be finalised.

- In October 2000, the EMHRN sponsored the participation of ten EMHRN members in the Cairo Conference on Human rights education and dissemination: 21st Century Agenda (organised by the Cairo Institute for Human Rights Studies). The conference was a follow-up to the First International Conference of the Human Rights Movement in the Arab World that was successfully arranged by the CIHRS in co-operation with the Moroccan Organisation for Human Rights in April 1999. Among the

31 With the participation of Christopher Hein and CIR staff, Eva Norstroem and Marc Schade-Poulsen.

32 With the participation of Ahmed Karaoud – Arab institute for Human Rights, Tunis; Bahey El Din Hassan, Cairo Institute for Human Rights Studies, Wa'il Kheir and Lina Osserian Beydoun – Foundation for Human and humanitarian Rights Lebanon; Marc Schade-Poulsen EMHRN Secretariat, Colm Regan, 80:20 Educating and Acting for a Better World, Ireland, and Diego Bang, Danish Centre for Human Rights.

issues discussed were the role of the media and art in HRE; the contribution of NGOs and governments to the field; the impact of dominant political culture and of religion on HRE.

- In July 2001, a subgroup of the HRE WG33 met in Copenhagen for a one day meeting to discuss how to build-up the EMHRN web site from an educational point of view. The meeting concluded with a substantive proposal and implementation is ongoing. In addition, an annotated guide to Palestinian Web Sites is about to be finalised for the EMHRN by 80:20.

- In August 2000 and 2001, the EMHRN sponsored the holding of a Summer School on human rights for Algerian university youth organised by the Algerian League for the Defence of Human Rights (see below). T

- The EMHRN has regularly recommended to the Danish Centre for Human Rights that members of the Network attend the DCHR bi-annual training courses on human rights. In the past period, representatives of the Algerian League for the Defence of Human Rights, the Beirut Bar Association, the Committee for the Defence of Freedoms in Syria, the Foundation for Human and Humanitarian Rights in Lebanon, LAW, Palestine, and the Moroccan Organisation for Human Rights have attended the training courses.

F. Self-determination and the right of refugees

- On 18-25 September 2000, the EMHRN sent a mission to Lebanon and Jordan with the mandate to evaluate the situation of Palestinian refugees in Lebanon and Jordan in the light of international standards for human rights and refugee protection and to compare the situation of Palestinian refugees in Lebanon and Jordan with the situation of other refugee groups.

The mission was organised in cooperation with EMHRN members in Lebanon and Jordan and the mission team was composed of Maria de Donato, Head of Legal Department, Italian Refugee Council, and Mohammed Tahri, Lawyer and individual member of the EMHRN.

The report was discussed at the conference on Palestinian Refugees in Casablanca, February 2001, (see below) and later published on the occasion of the International Refugee Day, June 2001.

- The EMHRN sponsored the participation of 10 members in the Third International Conference of the Human Rights Movement in the Arab World on *The Future of Palestinian Refugees under the Current Peace Process*, Rabat 10-12 February, 2001.

About fifty independent and official Arab and international experts concerned with the refugee issue attended the conference. They came from different concerned Arab and foreign countries representing governmental and non-governmental sectors. NGOs representatives included human rights groups, research centres and institutions working on Palestinian refugees. This was in addition to official representatives of the Palestinian National Authority and some refugee-hosting states.

The papers established by Arab scholars and experts that were presented in the conference covered different aspects of the refugees' problems. They gave special attention to hot issues such as the 'right to return' exploring possibilities of its realisation. The conference adopted the Rabat Declaration on the Rights of Palestinian Refugees. The conference received wide media coverage. Moroccan dailies, Egyptian and Palestinian newspapers also covered the deliberations; in addition to Arab dailies based in London i.e. Al Hayat and El Quds Al Arabi.

For other activities, see under Palestine and Lebanon.

33 Diego Bang (DCHR), Colm Regan and Sean Daly (80 :20 Educating for a Better World), Naceur Kefi (Arab Institute for Human Rights), Marc Schade Poulsen and Marit Floe Jorgensen participated in a meeting on developing a comprehensive website on human rights in the Euro-Mediterranean Region.

G. Economic, social and cultural rights

In November 2001 the EMHRN successfully conducted a training seminar in Brussels on the human rights implication of the MEDA programmes for seventy participants, i.e. EMHRN members, EU Commission representatives, etc. (see above). The EMHRN report on the issue is forthcoming.

7. COUNTRY ISSUES

A. Algeria

In August 2000, the Algerian League for the Defence of Human Rights organised a Summer University in Tizirt-Sur-Mer, Algeria. Between 45 and 60 persons, mainly students from the universities of Tizi-Ouzou, Bejaia, Setif, Bordj-Bou-Areridj, Bouira and Boumerdes, attended the course, which lasted ten days beginning on 20 August.

Experts and human rights activists gave lectures on the relation between universality and cultural specificity; human rights and structural adjustment; globalisation and economic and social rights; constitutionalism, democratic culture and rule of law; the media and human rights; corruption and globalisation; and human rights in the Barcelona process. The seminar was an occasion for debates among the youth present. It was welcomed by the heads of the local and regional council and publicised in the local press.

The project was sponsored by the EMHRN and was successfully repeated in August 2001 with fifty participants, where also two members of the Tunisian League for Human Rights, Salah Zghidi and Anouar Kousri lectured. The themes of the Summer School included the international human rights norms and instruments, the role of NGOs in the promotion of human rights, international justice and human rights, the Barcelona process, and the implementation of human rights in Algeria.

- In March 2002, representatives of the EMHRN, FIDH, and Amnesty International met with the cabinet of Commissioner Patten, and discussed the human rights situation in Algeria and the setting in motion of the human rights clause of the Association Agreements.

- In April 2002, the EMHRN sponsored a press conference on the situation of the disappeared in relation to the signing of the Association Agreement between the EU and Algeria, Valencia (see above).

Furthermore, the signing of the agreement was among the main issues raised by the EMHRN in its letter to the Foreign ministers prior to the Ministerial meeting.

B. Egypt

- In May 2001, the EMHRN prepared a mission to Egypt in relation to the trial against Nawal El Saadawi that took place on 17-21 June 2001, The team was composed of Caroline Stainier and Boschra Ben Hamida.³⁴

- During the plenary sessions of 28-29 November 2001, the European Parliament gave its assent on concluding an Association Agreement between the EU and Egypt. To be legally valid, the Association Agreement between the EU and Egypt, signed on June 25 2001, had to be approved by the European Parliament. Human rights NGOs, such as the EMHRN, put pressure on the parliamentarians during all of November recalling the grave human rights violations in Egypt demanding that the EU acts strongly towards the Egyptian authorities so that the 'human rights clause' in these Agreements will not go unheeded.

- The EMHRN also followed the case of Dr. Saed Eddin Ibrahim and issued several joint letters and statements with international NGOs in the report period (please, see the list of press releases in annex).

³⁴ Regretfully, the mission team was not able to finalize its report.

C. Israel

- On the occasion of the EU- Israel Association Committee Meeting, 21.5.2001, the EMHRN published an open letter asking the EU to use the article 2 of the association agreement to push Israel towards compliance with its human rights obligations.

Later, on the occasion of the EU-Israel Association Council meeting, 20 November 2001, the EMHRN forwarded an open letter to the EU institutions recommending steps towards suspension of the Agreement. On the same occasion it had meetings with EU Officials. The letter was followed-up by a press release (11 April 2002) calling for a suspension of the Agreement.

- The EMHRN sent Mr Preben Wilhjelm, former Danish MP, to observe the first hearing in two cases against Mr Azmi Bishara (MK) on 10 December 2001 and on 27 February 2002. The Knesset voted in favour of the lifting of Bishara's parliamentary immunity. He was then charged with 'assisting to illegal exit from the country' for organising trips for elderly Palestinians to visit their relatives in Syria and for supporting a 'terrorist organisation' for some speeches he made concerning the Israeli occupation.

- On March 2, 2002, the EMHRN sent a letter to the Israeli Minister of Defence, Mr Binyamin Ben-Eliezer, and Israeli Minister of Internal Security concerning the harsh harassment of the EMHRN board member, Khader Shkirat and his family.

D. Jordan

The EMHRN with Ms Sa'eda Kilani, individual member, worked on producing a new comprehensive report on press freedoms in the country following dialogue meetings between the EMHRN and the Jordanian government in January 2000. A 120 pages draft report was finalised in May 2001 (in English and Arabic) and forwarded to relevant government authorities in Jordan who were asked to comment on the report before publication. Following an exchange of letter, the EMHRN decided to make the report public in relation to the entering into force of the Association Agreement between the EU and Jordan on 1 May, 2002.

E. Lebanon

The executive committee convened for the first time in Beirut, 2-3 February, 2001. It was an occasion to meet representatives of organisations working on the question of Palestinian and non-Palestinian refugees, and meetings were repeated during the HRE WG meeting in May 2001.

During this period, the EMHRN received information that hundreds of non-Palestinian refugees and asylum seekers were subject to arrest and torture during detention in Lebanon. It was also alleged that more than 300 asylum seekers had been forcibly deported to their country of origin since September 2000, after having been arrested and detained on charges of clandestine entry and illegal residence in Lebanon. According to EMHRN's information, the co-operation between the UNHCR Regional Office in Beirut and the Lebanese authorities had undergone negative changes and the gentlemen's agreement of 1963, which granted UNHCR's presence in the country and its possibility to work, had *de facto* ceased to exist.

In a first step to acquire more information about the refugees' situation, the EMHRN contacted the responsible Lebanese authorities. It sent letters of concern, urging them to respect the international principle of non-refoulement, which prohibits forcible return to countries where refugees face torture or persecution.

As sources only little later reported that detainees were still deported and that more refugees had been arrested by the General Security, the EMHRN decided to send a mission to Lebanon in order to investigate the circumstances and to be able to act/intervene more effectively. 35

Following the mission (that took place on 5-12 May, 2001) the EMHRN sent a preliminary report to the UNHCR office headquarters in Geneva emphasising the lack of co-operation between the two bodies

35 The mission was composed of Ms Anna Maija Toukkari, Senior Lawyer, Finnish Refugee Advice Center; Ms Cornelia Gunnensen, Swedish Refugee Council; and Mr Slaheddine Ourimi, Lawyer, Tunisian League for Human Rights.

responsible for refugees in Lebanon. The report was followed-up by a visit of EMHRN delegates to the UN High Commission for Refugees in Geneva .

As an outcome of the action the UNHCR sent a delegate to Beirut, who was charged with gaining an overview of the situation at the UNHCR Regional Office and with helping remedy on the situation of refugees and asylum seekers. Development in this direction has been ongoing since then.

- During the whole period the EMHRN closely monitored the situation of refugees in Lebanon and had several letters exchanged with the authorities. The question was also brought-up at a press conference jointly organised with the FIDH in Beirut, on the occasion of the Regional Seminar on the Financing of Human Rights Organisations, 19-22 September 2001.

- In relation to the mission the EMHRN also succeeded in providing support for the capacity building of for the Ad-Hoc Committee for Non-Palestinian Refugees in Lebanon.

F. Morocco

- As mentioned above, the EMHRN organised a seminar on freedom of association, 5-7 October 2000 which preceded the Autumn parliamentary session in Morocco where the law on Public Freedoms was scheduled to be discussed.

- In October 2000, the EMHRN also published a memorandum on the occasion of the first Association Council between Morocco and the EU, in which progress and major problems relating to the human rights situation were high-lighted, including concerns about the increase of racist incidents in the EU with regard to Moroccan migrants.

- In May 2001, when information circulated that the law project was tabled for the new Parliamentary session, the EMHRN sent a mission to Morocco composed of Lawyer George Assaf and Christine Merkel both members of the EMHRN in order to inquire into the current situation and law reform in progress. The mission was coordinated with local EMHRN members, OMDH, ADFM and Espace Associatif. On the basis of the mission findings and observing further development in Morocco, the EMHRN published a statement on the legal guarantees in relation to the public liberties in Morocco to the Moroccan government on November 15, 2001, ahead of parliamentary debates on a new law on public liberties.

- In the report period the EMHRN issued several press release concerning public freedoms in Morocco and in relation to cases of arrests of individuals (see list of press releases) and it sponsored a mission of a CNLT member's visit to Morocco in relation to the trial against human rights activists following a peaceful demonstration 9 December.

G. Palestine

- Following the outbreak of the Al Aqsa Intifada, the EMHRN co-organised a mission to the Occupied Territories in cooperation with ICJ-Sweden and the FIDH (4-8 October 2000). The mission was composed of Judge Sven Erik Nilsson, Sweden for the ICJ, Hubert Prevot, France, for the FIDH and Stefan Lütgenau, Austria and Iain Byrne, UK, for the EMHRN. The mission team issued a statement after completion of the mission that was approved by both Israeli and Palestinian EMHRN members.

- The mission was followed-up by a meeting in Brussels, 19-20 January 2001 in which Btselem, Adalah and LAW took part together with EMHRN EC members, representatives of the major international human rights NGOs (see above).The EMHRN funded members' participation in the meeting and organised the practical event with the assistance of its local member, Jeunesse Maghrébine.

- In April, 2001, during the sitting of the Human Rights Commission the EMHRN took part in advocacy meetings in Geneva in support of its Palestinian members.

- Following the decision by the EC to establish a working group on Palestine, the EMHRN convened the first meeting with its Israeli and Palestinian members, as well as European members and international partners in Geneva, December 2-3, 2001.³⁶ The aim was to strengthen focus, develop

³⁶ The participants were Ghassan Abdallah (PHRO, Lebanon), Salpy Eskidjian (World Council of Churches, Switzerland), Sandrine Grenier (EMHRN coordinator in Brussels), Bahey El-Din Hassan (CIHRS, Egypt),

synergies and improve co-ordination of actions. It was decided to continue the work of the working group and to expand it within the overall framework of implementing the 4th Geneva Convention. Khader Shkirat was elected convenor of the group and became responsible for developing a concept paper.

The meeting was followed-up in Geneva 23-24 March, 2002, where the participants 37 discussed and agreed on the concept paper; presented actions undertaken since the last meeting as well as current plans; discussed the issue of missions and monitoring; Networking and strengthening impact of WG meetings; Planning and time-lines; and a message to be forwarded to the EuroMed governments. In follow-up to the meeting, the EMHRN undertook substantial efforts to raise funds for a full-time coordinator to the group.

- In December 2001 it initiated dialogue with a Private Foundation to establish a feasibility study for an International Tribunal on the Situation in Palestine. The project is planned to be implemented during Summer 2002.

- From 18 February to 1 March 2002, the EMHRN, in co-operation with the Danish Centre for Human Rights, Dan Church Aid (DCA) and International Medical Co-operation Committee, organised a training course for medical students going to the West Bank for six months to assist the local staff at DCA health projects and to observe the situation at check points. Representatives of B'Tselem and LAW, the EMHRN Secretariat assisted in the course which focussed on practical training on monitoring human rights violations.

H. Syria

The EMHRN has been in regular contact with Aktham Naisse, President of the Committee for the Defence of Freedoms in Syria. In June, 2000, it sent a delegation³⁸ in order to extend its support to the human rights defenders in Syria and to discuss how the EMHRN could contribute to the strengthening of CDF's work. Another meeting with the CDF was held in Beirut in February 2001 on the occasion of the EMHRN EC meeting.

Cooperation with the CDF has resulted in capacity support to CDF activities in Syria. For this purpose, the EMHRN and CDF Syria agreed to cooperate on the development of its infrastructure; training courses and publications. Cooperation has increased CDF visibility in Syria.

I. Tunisia

- In October 2000 on the occasion of the seminar on freedom of association the EMHRN Tunisian human rights defenders from inside and outside the country met in Casablanca. The purpose was to settle disagreements and prepare the 5th congress of the Tunisian Human Rights League. The President of the EMHRN later attended the conference and subsequently drafted a report on the conference proceedings which testifies to correct election procedures of the executive bodies of the LTDH.

- Between 15 and 19 December, 2000, the EMHRN, in cooperation with the Observatory for the Protection of Human Rights Defenders and the Kurdish Human Rights Project (KHRP) sent a mission

Giovanna Lelli (Aprodev, Belgium), Stefan Luetgenau (Bruno Kreisky Foundation, Austria), Jessica Montell (B'Tselem, Israel), Eva Norstroem (Swedish Refugee Council, Sweden), Marc Schade-Poulsen (EMHRN), Charles Shamas (MATTIN group, Palestine), Khader Shkirat (LAW, Palestine), Raji Sourani (PCHR, Palestine), Per Stadig (Lawyer, Sweden).

³⁷ Stefan Luetgenau, Bruno Kreisky Foundation; Giovanna Lelli, Aprodev; Hannah Friedman, Public Committee Against Torture (absent); Eva Norstroem, Swedish Refugee Council; Per Stadig, ICJ-Sweden; Ron Dudai, B'Tselem; Khader Shkirat, LAW; Marc Schade-Poulsen, EMHRN; Marit Floe Jorgensen, EMHRN; Sandrine Grenier, EMHRN; Mohammed Zeidan, Arab Association for Human Rights; Hassan Jabareen, Adalah; Bahey El Din Hassan, CIHRS; Ghassan Abdallah, Palestinian Human Rights Organisation; Mireille Mendez France, International Association of Democratic Lawyers; Charles Shamas, Mattin Group; Vicki Metcalfe / Jaaber, PCHR Gaza; Randa Siniara, Al Haq; Salpy Eskidjan, World Council of Churches; Alexandros Karides, World Council of Churches; Ghada Zeidan, LAW; Liz Hodgkin, Amnesty International; Nathalie Mivelaz, OMCT; Hanny Megally, Human Rights Watch; Dianne Luping, LAW.

³⁸ Composed of Kamel Jendoubi and Marit Floe Joergensen.

to Tunisia³⁹ with the mandate to observe the trial of Dr. Moncef Marzouki (16.12.2000), spokes person of the Conseil National des Libertés en Tunisie (CNLT) and of Mr Najib Husni (18.12.2000), member of the CNLT. Dr Marzouki was accused of belonging to an illegal organisation (CNLT), disseminating false information, disrupting public order, disrupting justice, dissemination of papers of a nature to disrupt public order and inciting citizens to act contrary to the laws of the state, risking 15 years imprisonment.

- Between 24 and 31 December, 2001 The EMHRN, the KHRP, and the Observatory for the Protection of Human Rights Defenders followed-up on the previous mission by sending a new team on a mission to Tunisia⁴⁰ to observe the adjourned trial of Dr. Marzouki (31.12.2000) and the trial of the LTDH (25.12.2000). It also sponsored the participation of Mr Oualladi, President of the OMDH.

Later between 28 and 31 January, 2001, the EMHRN, the Observatory for the Protection of Human Rights Defenders and the KHRP sent a mission to Tunisia⁴¹ to observe the adjourned trial of the LTDH.

A report from these three missions was issued in April 2001 and entitled *Freedom of Expression, Freedom of Association and Unfair Trials in Tunisia: A report of the trials of Dr Moncef Marzouki, Attorney Nejib Hosni and the Tunisian League for Human Rights*.

- On 5-8 July 2001, the EMHRN sent a mission to Tunisia composed of Abdelaziz Bennani and Anna Bozzo in relation to Sihem Ben Sedrine's imprisonment and the appeal trial of Dr Moncef Marzouki. In this connection it coordinated the collecting of signatories for an appeal launched by the ATFD with the help of Anne Rasmussen, Denmark, and Anna Bozzo, Italy.

- On 2 February 2002, the EMHRN sent a new mission to Tunisia ⁴² to observe the first trial of Hama Hammami and his three colleagues, Abdeljabbar Madouri, Samir Taamallah, Ammar Amroussia. The four defendants were arrested during the trial and the appeal trial was scheduled for March 9 which Ms Anna Bozzo, attended. Ms Bozzo was also present at the trial on 30 March together with Mr Nigel Wray, Bar Human Rights Committee of England and Wales.

- Sihem Ben Sedrine, Spokesperson of the Conseil National pour les Libertés en Tunisie, has been nominated for the Sakharov price of the European Parliament, and, in this capacity, she was invited to the European Parliament, where she had the opportunity to meet the president of the European Parliament, several presidents of the political groups and other delegates, as well as the representatives of the European Commission. She returned to Brussels in February to participate in a hearing organised by the Women's Rights Commission of the European Parliament, and, with assistance of the EMHRN, met with representatives of the European institutions.

- Radia Nasraoui, Tunisian lawyer, accompanied by the EMHRN, met representatives of the European institutions on 19 March 2002 and exchanged views with the members of the Foreign Affairs Committee of the European Parliament.

- Besides these activities, the EMHRN supported the Caravan for Human Rights in Spring 2001 (organised amongst other at the initiative of the CRLDHT) and which highlighted the human rights situation in Tunisia during a number of events in Geneva, Paris and Brussels.

- It organised a round-trip to Denmark, Norway and Sweden for Omar Mestiri, CNLT, and provided small scale financial support to Tunisian human rights defenders. Finally it issued a series of press releases and statements in its own name and in cooperation with international organisations, amongst other on the occasion of the Association Council Meeting between the EU and Tunisia on 29 March 2001 (for EMHRN press releases, please see annexe).

39 Composed of Andrea Hopkins, barrister and legal officer at KHRP; Christopher Jacobs, barrister, representing International Union of Advocats; Bill McGiven, barrister, representing Bar Human Rights Committee of England and Wales, and Rajesh Rai, barrister.

40 Composed of Mr. Nigel Wray, barrister, representing Bar Human Rights Committee of England and Wales and Mr Eric Plouvier, lawyer from France.

41 Composed of Ms Andrea Hopkins, barrister and legal officer at KHRP barrister, representing Bar Human Rights Committee of England and Wales and Mr Eric Plouvier, lawyer from France.

42 Composed of Mr Chris Jacobs, lawyer, Bar Human Rights Committee of England and Wales, and Mr Thierry Brunet, Lawyer, Marseille Bar.

J. Turkey

On February 3, 2000, former judge at the European Court of Human Rights, Mr Isi Foighel attended the hearing of the State Security Court of Ankara on 3 February, 2000, against the Secretary General of the Human Rights Association of Turkey (IHD), Nazmi Gür, member of the EMHRN.

Nazmi Gür was charged with the crime of assisting organisation of an armed gang after publishing an article entitled 'It is not hard to reach peace' on World Peace Day, 1 September, 1999, and faced between 3 and 7,5 years imprisonment for calling for a peaceful solution to the Kurdish question and 15 years armed conflict in south east Turkey. 43

Nazmi Gür was acquitted because of lack of 'adequate and convincing evidence'. The EMHRN later supported the publication of the report 'Peace is not Difficult: Observing the Trial of Nazmi Gür', that was published in co-operation with the Kurdish Human Rights Project, the Bar Human Rights Committee of England and Wales, the Norwegian Bar Association, and the Danish Centre for Human Rights on 16 May, 2000.

- In Summer, 2000, the EMHRN facilitated IHD access to financial support for the English translation of its Legislative Screening of Turkish legislation relevant to Turkey's compliance with the Copenhagen Political Criteria for adherence to the EU.

As a follow-up to the publication it funded a mission of the IHD to Brussels in October 2000 composed of Akin Birdal, Hüsnü Undül and Nazmi Gür. The purpose was to meet representatives of the EU institutions and present the IHD report. The meetings and a press conference were organised in cooperation with associate member organisations in Brussels and they were widely publicised in Turkey.

- On 22 March 2001 EMHRN Executive Director, attended the hearing against the IHD Ankara branch that was accused of helping a terrorist organisation for its role in documenting the prison death fasts. During the stay he had meetings with IHD representatives to discuss cooperation with the EMHRN as well as with other human rights defenders.

- From May 5 to 100, 2001 the EMHRN organised a mission to Turkey in cooperation with the Kurdish Human Rights Project and the OMCT in relation to reports about increased repression of human rights defenders and the growing number of number of death fasts among political prisoners. During the mission, team members were able to meet with Turkish non-governmental organisations, families of political prisoners, and the government authorities. The mission issued a preliminary report upon its return insisting on the urgency of a genuine reform of the legal and penitentiary system by the Turkish authorities in response to the situation prevailing in the prisons.

On 22 October, 2001, the mission report 'F-type prisons crisis and the repression of human rights defenders in Turkey' from the fact-finding mission was published.

8. OTHER INITIATIVES

- The EMHRN with the FIDH sponsored a symposium on *Human Rights and Terrorism*, which was organised by the Cairo Institute for Human Rights Studies in Cairo 27-28 January 2002. Key human rights organisations attended the meeting following which a report was issued and entitled Towards A Universal Approach for Protecting Human Rights and Combating Terrorism.

- The EMHRN sent a letter in support of the Danish Centre for Human Rights to the Danish Prime Minister and the Danish Foreign Minister, 8 February 20002. Since then the independence of the Centre has been ensured according to the Paris principles for national human rights institutions.

43 The mission was co-ordinated with the Kurdish Human Rights Project, the Bar Human Rights Committee of England and Wales, the Norwegian Bar Association, the Danish Centre for Human Rights and ICJ-Denmark, who also sent international trial observers to the hearing.

9. NEW MEMBERS

In the past period the EC has decided to propose the following new members to the GA:

Regular members:

ADALAH, Israel;

Public Committee Against Torture, Israel;

SOLIDA, France-Lebanon;

Rights and Freedom Association (Northern Cyprus),

International Association for the Protection of Human Rights in Cyprus (Southern Cyprus).

Associate member:

ACSUR Las Segovias — Association for Co-operation with the South (Spain)

As individual member:

Caroline Stainier, Lawyer, Belgium;

Per Stadig, Laywer (Sweden)

The EMHRN recommends to cancel membership of the following organisations who ceased meaningful activities or exchange with the EMHRN:

Migrants Forum of the EU.

10. ADMINISTRATIVE ISSUES

A. Management group

The Management Group of the EMHRN met in Copenhagen 12 September 2001, where it examined the financial situation of the EMHRN, the staff situation and suggested to strengthen the political role of the EC by delegating more of the executive power to the MG and the executive director.

B. By-laws

The EC drafted a paper that describes the internal functioning of the EMHRN. The paper will be translated into a by-law proposal after the AGM (see annex)

C. Auditing and administrative cooperation

In February 2000 the EMHRN formally became an independent NGO in relation to the Danish Authorities. On that occasion it established a cooperation agreement with the Danish Centre for Human Rights. The agreement details services and costs related to DCHR administrative assistance to the EMHRN: rent, computer assistance, wage management, book keeping, balances, assistance to auditors, telephone and reception, cleaning, etc. Following its independent status, the EMHRN is now audited by a private auditing company, at present PriceWaterHouseCoopers. EMHRN auditing and accounting procedures were established and finalised in the period between 1 June 2001 and 1 May 2002.

D. The Treasurer

Following incidents with individual personalities in the Network the treasurer did not participate in the past three executive committee meeting and did not give notice of his absence. In the same period he ceased relevant communication with the executive bodies of the Network. Therefore, the CE is forced to take note of these neglects by the treasurer and asks permission of the General Assembly to nominate an interim treasurer from its midst in period until the next General Assembly.

E. Funding

In the past period the Executive Director had meetings with Foreign Office representatives in the Finland, Netherlands, Norway and Sweden, with SIDA, NOVIB, the Friedrich Ebert Foundation, the Heinrich Boell Foundation and the Ford Foundations as well as with various Danish private donors in order to develop relations and explore funding opportunities.

F. New office facilities

In the past period, the EMHRN moved twice to new facilities. From 1 November 2000 to 1 April, 2001, it was housed in an Annex of the Danish Centre for Human Rights, Nørre Søgade 38, Copenhagen. On 1 April, 2001 it joined the Danish Centre for Human Rights when it moved to Wilders Plads 8H, DK-1403 Copenhagen K.

G. Staff

The EMHRN Secretariat has during the entire period been staffed by an executive director and an information officer.

The executive director, Marc Schade-Poulsen, is responsible for contacts to the EC, EC meetings, the General Assembly, fund raising, representation, content of reports, program development and mission concepts, annual narrative and financial reports, coordination of workshops, staff management and development, etc.

The information officer, Marit Floe Joergensen, is in charge of maintaining the EMHRN Website in three languages, writing news letters to members, writing minutes from EC meetings, the organisation of missions, development of thematic priorities, training, proof reading and publication of reports.

On October 2000 a full time administrative coordinator, Sannie Nielsen, was employed with the main task of setting-up meetings, seminars, managing travel accounting, book keeping, filing, correspondence, ad hoc translations, contact to translators, and distribution of reports.

From September 2001 the EMHRN employed a full-time coordinator in Brussels, Sandrine Grenier, with the main task to: represent and implement the policy of the EMHRN and its members in relation to the institutions and representatives of the EU and the EMP; inform EMHRN members about the policies and development of the institutions of the EU and the EMP; facilitate access of EMHRN members to the institutions of the EU and the EMP; and maintain close contact to other organisations in Brussels.

The EMHRN have in report period employed two part-time student (15 hours per week), one in charge of typing news bulletin in French and English, forwarding of electronic news bulletin and the faxing of news to members who do not have access to the Internet: Until 31 December, 2001, Olivier Mukarji. From 1 January 2002, Lea Arentoft. The other student provides ad hoc assistance. Until 31 December 2000, Louise Johansen. From 1 June 2001 to 31 December 2001, Marie Pade Lange. From 1 January, 2002, Stine Berner.

The following interns have assisted the EMHRN. Laurence Le Moing, 1 November 2000 to 31 January 2001. Anne Christine Heck, 16 July to 23 August 2001. Rasmus Boserup, 1 August to 6 September 2001. Cornelia Seeger, 3 August to 28 September. David Smith, 3 September to 16 November 2001.

Translations are made outside the secretariat while proof reading is done by the secretariat staff.

The Secretariat staff held internal working days 11 April, 27 June, 12 July 2001, 11 December 2001 and 10 April 2002 in order to strengthen internal working procedures.

H. Acknowledgments

The EMHRN is grateful to the support and assistance it received from members and associates in the past period all done on a voluntary basis and without which the network had not succeeded to develop its work and mission.

The EMHRN also thanks for the support received by the Coordination Sud, DANIDA; The EU Commission; the Ford Foundation; Foreign Office, UK; Friedrich Ebert Stiftung; Heinrich Boell Stiftung; NOVIB, the Peace Foundation; the Plum Foundation; and the International Foundation for Solidarity.

ANNEX 1: PRESS RELEASES, OPEN LETTERS AND DECLARATIONS

30.4.2002: EMHRN releases book-report on press freedoms in Jordan.

22.4.2002: The Human rights situation in the Euro-Mediterranean region: The impact of 11th September and the al-Aqsa Intifada.

19.4.2002: Euro-Mediterranean Ministerial meeting in Valencia: The EMHRN requests that human rights are put on the top of the agenda.

11.04.02: EMHRN Press statement calling for the suspension of the Association agreement with Israel.

5.3.2002: Euro-Mediterranean Human Right Network's Recommendations regarding the "Regional Program within the field of Justice and Home Affairs".

12.2.2002: The EMHRN issued a joint statement with Amnesty International, Avocats sans frontières, Belgium; Human Rights Watch, and the Observatory for the Protection of Human Rights Defenders (FIDH and OMCT); regarding the detention of Mustapha Adib in Morocco.

28.1.2002: Trading human rights for security, Press release on the occasion of the EU-Tunisia Association Council Meeting took place 29 January 2002, EMHRN and the FIDH, Amnesty International, Human Rights Watch, World Organisation Against Torture, and Reporters Without Borders,

25.1.2002: Letter of the EMHRN concerning justice and freedom of expression in Tunisia to the EU Foreign Ministers, Chris Patten and Javier Solana, as well as the Tunisian government.

21.1.2002: The EMHRN issued a press release regarding the recent Israeli demolitions of houses in the Gaza strip.

7.12.2001: The EMHRN issued a press release on its concern about public freedoms and the recent judgement against Ali Lamrabat, Morocco.

15.11.2001: The EMHRN published a statement on the legal guarantees in relation to the public liberties in Morocco.

14.11.2001: The EMHRN sent a letter to the EU foreign ministers, Chris Patten, and Javier Solana calling for the suspension of the Association Agreement with Israel, in relation to the EU-Israel Association Council Meeting.

5.11.2001: EMHRN Letter to the EMP Minister Meeting in Brussels, 5-6 November.

22.10.2001: Press release on the Occasion of the release of the report on the F-Type Prison Crisis in Turkey and the Repression of Human Rights Defenders.

18.10.2001: Joint letter (including a briefing note) by 11 Human Rights Organisations (incl. EMHRN) on the occasion of the meeting with Mr Ben Yahia, the Minister of Foreign Affairs of Tunisia.

11.10.2001: EMHRN Concern about the Human Rights Situation in Tunisia.

8.10.2001: The EMHRN Published a Statement on the 11 September Attacks, Human Rights Attacked

9.9.2001: EMHRN Calls on the Syrian Authorities to immediately Halt Arrests of Political Critics.

26.6.2001: Human Rights Defender arrested in the airport of Tunis.

26.6.2001: Ban on 'Virtue' Party in Turkey Contradicts Human Rights and Democratic Principles.

20.6.2001: Also Palestinians have Rights! EMHRN Report on Palestinian Refugees in Lebanon and Jordan released on the International Day of refugees.

31.5.2001: Euro-Mediterranean observer mission reports on the F-type prison crisis in Turkey and the repression of human rights defenders.

23.5.2001: Open letter to the EU concerning the sentencing of Dr. Saed El-Din Ibrahim to seven years imprisonment

21.5.2001: The EMHRN sent a letter to the EU foreign ministers, Chris Patten, and Javier Solana calling for the suspension of the Association Agreement with Israel, in relation to the EU-Israel Association Council Meeting.

21.5.2001: Human rights defenders condemned to imprisonment and fines

2.5.2001: Open letter to the Tunisian President Ben Ali demanding the release of Nejib Hosni.

19.4.2001: EU Abstention on Human Rights in the Occupied Territories: The EMHRN calls for an immediate international protection and for the EU to take a stronger role

5.4.2001: Report on Freedom of Expression, Freedom of Association and Unfair Trials in Tunisia released today.

30.3.2001: Launch of the EMHRN Home Page in Arabic

30.3.2001: Human Rights Association in Turkey (IHD) threatened by closure in court trials related to prison raids.

29.3.2001: Nine Human Rights organisations (incl EMHRN) call for EU Action over Tunisia in relation to EU-Tunisia Association Council Meeting

15.2.2001: A new impediment to freedom of association for human rights defenders in Tunisia.

15.2.2001: Letter concerning the situation of Non-Palestinian refugees in Lebanon sent to the Lebanese authorities, the 27 ambassadors to the Barcelona Process as well as relevant persons of the EU institutions.

22.12.2000: Statement from mission to Tunisia 15-19 December, 2000.

21.12.2000: Turkish Raids on Prisons Violate Human Rights.

13.12.2000: Open letter to the Moroccan Prime Minister concerning the banning of three weekly newspapers.

29.11.2000: 600 Political Prisoners to be Released in Syria.

17.11.2000: Joint Statement by 9 human rights organisations (incl. EMHRN) on Egypt: Concerns about trial of human rights and NGO activists.

15.11.2000: Press conference and launch of a "white book" assessing five years of Euro-mediterranean Partnership with regards to respect for human rights.

10.11.2000: The General Assembly of the EMHRN adopts resolution and a new approach for a just and lasting peace in the Middle East and elects new executive committee.

31.10.2000: The Difficult Situation of Families of Political Prisoners in Tunisia.

26.10.2000: Open Letter to the Tunisian President Ben Ali concerning the ban on foreign travel imposed on Dr. Moncef Marzouki.

9.10.2000: Euro-Mediterranean Human Rights Network's Recommendations and observations regarding the Association Council meeting between Morocco and the European Union, 9 October 2000.

ANNEX 2: MEETINGS AND CONFERENCES

18-20 April 2002: EMHRN participation in *Valldigna EuroMed Forum*, Valencia, Spain.

12-14 April 2002: EMHRN co-organisation and participation in *EuroMed Civil Forum*, Valencia, Spain.

6 April 2002: EMHRN participation in seminar on the *EU and Civil Society Development in Northern Africa* organised in Rabat by the University of Liverpool.

23-24 March 2002: EMHRN *Working Group Meeting on Palestine*, Geneva, Switzerland.

1-2 February 2002: EMHRN participation in conference on *European immigration policy* organised by the European Network against Racism, Brussels, Belgium.

31 January to 1 February 2002: EMHRN participation in *Annual Conference of the EuroMesCo*, IFRI, Paris.

31 January 2002: EMHRN participation in a Round Table on the *Euro- Mediterranean Strategy for Sustainable Development*, co-organised by Yves Pietrasante (MEP), Heinrich Boell Foundation and the World Wild Foundation, Brussels, Belgium.

27-28 January 2002: EMHRN sponsoring (with the FIDH) and participation in colloquium on *Human Rights and Terrorism*, organised by the Cairo Institute for Human Rights Studies, Cairo, Egypt.

24 January 2002: EMHRN meetings with SIDA, Swedish Foreign Office and Swedish Caritas. Stockholm, Sweden.

18-19 January 2002: EMHRN participation in conference on *Steps to Protection – The Dublin Platform for Human Rights Defenders*, organised by Frontline, Dublin, Ireland.

18-19 January 2002: EMHRN organisation of Conference (with the CIR and the MEDA Institute) *New Frontiers, New Horizons, Migration, Refugees and Human Rights*, Trieste, Italy.

7 January 2002: EMHRN *Working Group meeting on Justice*, Brussels, Belgium.

14 December 2001: EMHRN participation in the *Citizen's Assembly* organised by NGOs in Brussels on the eve of the Laeken Summit.

10 December 2001: EMHRN participation in conference on *Europe & Refugees: Freedom, Security and Justice?*, organised by European Council for Refugees and Exiles, Brussels, Belgium.

2-3 December 2001: EMHRN *Working Group Meeting on Palestine*, Geneva, Switzerland.

23-24 November 2001: EMHRN participation in *The European Union Human Rights Discussion Forum*, Brussels, Belgium.

21-22 November 2001: EMHRN participation in Conference on *Human Rights Impact Assessment* organised by the Humanist Committee on Human Rights, Brussels, Belgium

5-7 November 2001: EMHRN training seminar on the *Human rights implications of EU assistance to its Mediterranean partners*, Brussels, Belgium.

24 October 2001: EMHRN participation in seminar on *Future Immigration and Asylum Policies of the European Union — Challenges from a Human Rights and Global Perspective*. Helsinki, Finland.

18-20 October 2001: EMHRN participation in *Civil Forum*, Brussels, Belgium.

16-18 October 2001: EMHRN participation in training seminar on *Gender Mainstreaming in the Euro-Mediterranean Partnership*, organised by the Heinrich Boell Foundation, Brussels, Belgium.

2 October 2001: EMHRN participation in *MENA meeting* of the Friedrich Ebert Stiftung, Bonn.

30 September 2001: EMHRN participation in *MENA meeting* organised by Amnesty International, Turku, Finland.

19-22 September 2001: EMHRN participation in regional seminar on the *Financing of Human Rights Organisations* organised by the FIDH, Beirut, Lebanon.

19-22 July, 2001: EMHRN participation in the *Regional Preparatory Conference for the World Conference Against Racism*, organised by the Cairo Institute for Human Rights Studies, Cairo, Egypt.

10 July 2001: Meeting with EU Commission on the EU Communication on Human Rights of 8 May 2001.

26-29 April 2001: Conference on *Access to Justice in the Euro-Mediterranean region*. Convened by the Faculty of Law in Uppsala, Sweden in cooperation with the EMHRN.

24 April 2001: EMHRN meeting with Spanish ambassador to the Barcelona Process in Madrid, Spain.

20-22 April 2001: EMHRN participation in planning meeting at the University of Portsmouth, UK under the Meda Democracy Project on *The EU and the Promotion of Democracy: The Case of North Africa*.

10-12 April 2001: EMHRN participation in the 57th session of the UN Committee for Human Rights in Geneva, Switzerland

28 March 2001: EMHRN meeting with Belgium ambassador to the Barcelona Process, Mr Jean-Louis Mignon, in Brussels (with the FIDH).

10-12 February 2001: Conference on *The Future of Palestinian Refugees under the Current Peace Process*, Organised by the CIHRS and the OMDH with EMHRN support and participation.

19-20 January 2001: *Coordination meeting on the human rights situation in Palestine* convened by the EMHRN in Brussels.

10-12 November 2000: *Civil Forum in Marseille*. The EMHRN and the FIDH were responsible for the human rights sessions under the priority theme of Rule of Law and Democracy.

7-8 November 2000: *4th General Assembly of the EMHRN*. Carry Le Rouet, Marseille.

21-22 October 2000: Conference *From Stuttgart to Marseille - a dialogue about the Euro-Mediterranean process with partners and representatives of civil societies from the Southern and Eastern regions*, organised by the Forum der Kulturen, Stuttgart; the Friedrich Ebert Foundation, the Heinrich Boell Foundation; the German Unesco Committee, the EMHRN and others.

13-16 October 2000: The Second International Conference of the Arab Human Rights Movement: *Human Rights Education and Dissemination: Prospects for the 21st Century Agenda*, organised by the CIHRS with support of the EMHRN.

5-7 October 2000: Seminar in Casablanca: *Freedom of Association in the Euro-Mediterranean region: towards common standards*, organised by the EMHRN, Espace Associatif, the Moroccan Association of Democratic Women, and the OMDH.

5-7 June 2000: EMHRN participation at LAW conference on *Culture and Community in Jerusalem: Strategies to Protect and Promote Human Rights*, Jerusalem.

In addition, since September 2001 the EMHRN took part in regular Human Rights Contact Group meetings in Brussels.

ANNEX 3: PUBLICATIONS

April 2002: Press Freedoms in Jordan, Sa'eda Kilani, EMHRN. Arabic and English.

October 2001: Freedom of Association in the Euro-Mediterranean Region: The Casablanca Declaration of October 2000". EMHRN, Association Démocratique des Femmes du Maroc, Espace Associatif, Organisation Marocaine des droits de l'Homme, Arabic, English, French.

October 2001: Rule of law, democracy, and the Euro-Mediterranean Partnership: Report from the Human Rights Workshops at the Civil Forum in Marseilles, 10-12 November, 2000'. EMHRN and FIDH. Arabic, English, French.

October 2001: The F-Type Prisons Crisis and the Repression of Human Rights Defenders in Turkey: Report from a Fact-Finding Mission to Istanbul and Ankara on 5-11 May 2001. EMHRN, KHRP, OMCT. English.

June 2001: Refugees also have Rights! Palestinian Refugees in Lebanon and Jordan, EMHRN mission 17-28 September 2000. EMHRN. Arabic, English, French.

April, 2001: Freedom of Expression, Freedom of Association and Unfair Trials in Tunisia: A report of the trials of Dr Moncef Marzouki, Attorney Nejib Hosni and the Tunisian League for Human Rights. EMHRN, Bar Human Rights Committee of England and Wales, KHRP, Observatoire pour la protection des défenseurs des droits de l'Homme, Union internationale des Avocats. French.

November 2000: Guide to Human Rights in the Barcelona Process, Khemais Chammari and Caroline Stainier. EMHRN. Arabic.

October 2000: Guide to Human Rights in the Barcelona Process', Khemais Chammari and Caroline Stainier. EMHRN. English.

ANNEX 4: STRUCTURES AND PROCEDURES DOCUMENT

The purpose of the document is to outline a series of procedures and structures which will, inter-alia, promote effectiveness and efficiency as well as an appropriate distribution of work between the members of the Network, its officers, the Executive Committee and the Secretariat.

The ideas outlined in this paper have been drafted following initial discussion and are an attempt to represent the range of views amongst the Executive at its last meeting.

The paper is divided into four sections:

- The role and functioning of the Executive Committee
- The role and functioning of the officers of the Network
- The responsibilities of members of the Network
- The role of the Secretariat

The Role and Functioning of the Executive Committee

The EC is the executive decision-making body within the Network within the context of the overall plan and procedures of the Network as decided by the General Assembly. The EC is answerable to the General Assembly and is established with the expressed purpose of implementing the decisions and strategic directions decided by the Assembly.

The role of the EC is to develop further and ensure the implementation of policies and decisions made by the GA. It also has an important role in preparing the meetings of the GA and in ensuring the effective operation of the Network overall.

The core area of work of the EC includes:

- developing an overall strategic plan for delivery of the policies of the Network, monitoring that plan and amending it as necessary
- developing a range of sectoral policies as necessary (e.g. in relation to the EU and the Barcelona process, in human rights education etc.)
- developing strategies for the implementation of the decisions of the GA
- responding to events and opportunities as they arise between meetings of the GA
- overseeing the work of the various Network structures or working groups tasked with specific roles
- ensuring that the Secretariat functions efficiently and effectively
- raising funds for the delivery of the agenda of the Network and reporting to the Assembly on the expenditure of such funds
- setting up all necessary structures within the Network to ensure the effective delivery of the mandate and agenda of the Network.

As such the overarching role of the EC is to develop and deliver policy and will therefore avoid becoming embroiled in the minutiae of administering the Network – this is the proper responsibility of the Executive Director and the Secretariat. It is important that the EC has time and energy at its meetings to deal effectively with the broad areas of policy and strategy that are so crucial to building an effective Network. The EC should spend the majority of its time on developing effective strategies and on capacity building within the Network.

The EMHRN will only be effective if its members see it as their duty (as well as their opportunity) to develop and implement the decisions of the GA. We need to studiously avoid a model of operation which places primary emphasis on the Secretariat and the officer board or the Executive. In this sense the principle of subsidiarity is a guiding principle.

The meetings of the EC will be chaired by a variety of its members – this is to ensure a fair division of responsibility as well as to promote a variety of styles and approaches within the Network. Thus, different members of the EC will chair different (and appropriate) agenda items, taking a lead in presenting them, in discussions and in negotiating effective agreement. This will also avoid undue pressure on the President or Vice-President as well as promoting collegiality and collective responsibility. It will also avoid the tendency for meetings to be dominated by one or two individuals, the officers or, indeed, the Secretariat.

At its meetings, the EC will ensure that its working procedures are effective taking care to consider some of the following:

- the need for a clear agenda which focuses on priority issues and assigns adequate time to such priorities
- the need for effective leadership roles divided amongst members of the Executive – those in a lead role should take responsibility for preparing documents, leading discussion, negotiating budgets and responsibilities etc.
- the need to ensure a fair chance for all to contribute – everyone on the EC has a responsibility not only to speak but also to listen and to ensure all have an opportunity to contribute
- organising the timing of the agenda to ensure that breaks occur, that energies are maximised to ensure that priorities receive the attention they need etc.
- that clear decisions are reached with responsibilities for implementation also agreed etc.
- the need to ensure that all policy or executive decisions are clearly taken by the Executive as an Executive so as to ensure that all legal and financial obligations and responsibilities are collectively understood and owned.

In its decision-making procedures, the EC will seek to work through consensus but, if necessary, it will make decisions by simple majority vote.

The purpose of such procedures is clear – effective development and implementation of policy, collective responsibility, an appropriate blending of executive and membership decision-making and the development of an effective and real network.

The Role and Functioning of the Officers of the Network

It is important that the role and responsibilities of the President, Vice-President and Treasurer are clear and effective.

The Role of the President

The principal role of the President is to oversee the effective functioning of the Network in consultation with the Executive Committee and, as such, is responsible for the development and implementation of the policies of the Network. The President should represent the Network internationally and put forward the views and policies of the Network in appropriate fora.

The President also chairs the General Assembly and different agenda items within the Executive Committee. The President should not be responsible for the day to day administration and detail of the Network – this is the proper responsibility of the Executive Director who is responsible to the Executive Committee.

It is agreed that the President should not become focused on the detail or minutiae of the administration of the Network. The principle role of this position is to oversee the broad area of policy development and to ensure that the Network is developing along lines and according to policy agreed by the General Assembly.

The Role of the Vice-President

The role of the Vice-President is crucial to the effective development and impact of the Network. The role of the VP should be similar to that of the President – representing the Network, developing and ensuring the implementation of policy and chairing meetings etc. The VP should assist the President in carrying out this work thus avoiding undue pressure on one individual as well as building capacity within the Network.

In addition, the VP should have specific responsibility for particular areas of policy – such areas will be agreed by the Executive Committee.

The Role of the Treasurer

The role of the Treasurer is clear – to oversee the financial development and management of the Network in close consultation with the Executive Committee and the Executive Director. The Treasurer will work with the Executive and the Executive Director to develop a funding strategy for the Network and will take part in necessary meetings with funders as well as commenting on the various funding applications.

The Treasurer will report to the Executive Committee at its various meetings as well as to the General Assembly.

The Responsibilities of Members of the Network

The effective development and functioning of the Network will be a direct result of the ‘ownership’ of decisions amongst members as well as responsibility for their effective implementation. The Executive Committee and its officers, as well as the Secretariat will work to ensure the effective participation of the membership in the development and implementation of the decisions of the GA and the Network.

In terms of promoting human rights values and capabilities, the executive structures and processes of the Network should avoid unnecessarily centralising decision making and implementation responsibilities. This has been the central failing of many other networks.

EMHRN through its officer board, its EC and its Secretariat should develop the principal of encouraging as well as enabling individual member organisations to take a lead role with regard to particular elements of the mandate and work of the Network. Thus, specific areas of work such as those of Women and Human Rights, Education, Country Focus etc. should become part of the everyday work of member organisations. The Network should then ensure that it supports the development of necessary capacity within those member organisations. Thus the EC, the Secretariat and the officers of the Network should give priority in their own work as well as in budgets and expenditure to ensuring effective delivery amongst the members.

The different areas of work decided upon by the membership via the GA should be assigned to groups of member organisations that should then develop that work in partnership with each other and under the overall co-ordination of the EC administered via the Secretariat.

The Role of the Secretariat

In the context of the procedures, roles and responsibilities described above, the role of the Secretariat is clear – the day-to-day delivery of the agenda of the Network in partnership with the member organisations.

The Secretariat therefore become a support agency within the Network – support in terms of communications, translations, preparations for meeting and seminars, documentation etc. The Secretariat has responsibility for relations with EU and individual state structures in consultation with the President and Vice President. The Secretariat also has responsibility for developing core communication needs within the Network, for example, an effective and useful Internet site etc.

The Secretariat will also take responsibility for developing close communication with the lead organisations working within particular areas – monitoring progress, developing documents, preparing meetings, assisting with fund-raising etc. The Secretariat should also have responsibility for servicing the meetings of the EC and the GA as well as for individual additional meetings and workshops as well as projects.

Therefore, the key role of the Secretariat is to facilitate the development of the Network and not to be the first instrument for conducting its work. The Network will strive to avoid building up the belief that the size of the Secretariat is a sign of the strength of the Network. The effective test of the Network is the degree to which individual organisations are not only consulted about the development of policy but also see themselves as being key instruments in the delivery of the strategies around such policies.

The Network will strive to develop an approach that encourages member organisations to see the work of the Network as a core component of their own work rather than as an addition to it. All of the structures of the Network will operate to this end.

EC, Brussels 24 June 2001

Annex 5: Evaluation of Trieste Conference on Migration, Refugees and Human Rights, Trieste 18-19 January 2002

The evaluation is based on consultations and feedback and consisted of written evaluation forms, correspondence, discussions within the Executive committee in Athens and with participants of the EuroMed Conference on Migration, Refugees and Human Rights.

Background

In deciding to hold a conference on Migration, Refugees and Human Rights, the Executive Committee (EC) for the first time turned the attention of the network to the issue of refugees, migration and human rights, an issue of critical importance to the region. The issue was considered a priority for the network because of the objective realities on the ground and the fact that this links colleagues from the north and south side of the Mediterranean basin.

The preparations started with a meeting in Rome on September 26, 2001. A steering committee agreed on the basic outline of the conference. A draft paper explaining the strategy and methodology was presented to the EC and a contract was drawn up between the EMHRN and the Italian Refugee Council (CIR). The steering committee was kept informed about the progress of the preparations made by the CIR. Other members of the EC were also asked for inputs. On December 19 a final preparatory meeting was held and a conference paper was finalised. The day before the Conference moderators and other contributors met.

The Steering committee paid special attention to finding a method that should guarantee the greatest possible creativity from the audience. The method chosen for the meeting is called "Appreciative enquiry". This method is useful for a heterogeneous audience. It focuses on creativity rather than "problem solving". It assumes that there is vast experience amongst the participants and that however complex and difficult the environment of the issue, it is possible to generate positive approaches and unblock the limits to our action. It seeks to find out where the creativity is, what contains real potential.

The Conference

The conference took place in Trieste on 18-19 January 2002.

The conference brought together representatives of main international organisations as well as representatives of major civil society and academic initiatives regarding EuroMed work on migrant and refugees.

The conference focussed mainly on the following questions: Do we have a common vision of the refugee and migration issue in the region? If so what is it? If not what would it look like? What are the concrete steps that would take us where we want to go to realise the vision?

The conference had two moderators, of whom one worked with the organisers during the entire period of preparations.

Results

Positive achievements

- The issue of refugees and migration was in focus for the first time within the framework of the EMHRN. This reflected the network's concern of the political importance of the issue and the ongoing humanitarian crisis.
- The participants, who were a very heterogeneous group and differed greatly in their knowledge and experience, worked together to find a clear, shared vision of the problems of the region in a positive and action oriented way.
- The participants took an active, creative and collective approach to conceive strategies and methodologies for future work.
- Solidarity between people from north and south was present during the work and demonstrated the potential for important work together in the future.
- In the working groups the representatives from various NGOs, research communities, and intergovernmental organisations exchanged knowledge and experiences and formulated joint propositions for the future.

- A broad range of elements of a short and medium term strategy to act upon was provided for the EMHRN by the participants.
- These achievements justify the networks choice of this issue as a matter for the future.

Negative aspects of the Conference

- The conference was not well balanced.
- The ceremonial opening was too long and in addition did not respect the time limits set.
- There were too many speakers and there was an over-representation of speakers from the North. Some speakers were not sufficiently briefed about what was expected from them.
- Not enough new knowledge was presented or created.
- Under the pressure of events and planning time resources, there were some failures of understanding between the host agency and the steering committee.
- Inevitably some of these misunderstandings led to tension and misunderstandings within the conference. E.g. the establishment of an Observatory in Trieste was announced without prior consultation with the EMHRN and against the agreement that the conference had no mandate to act on behalf of the participants.
- Also it was widely felt that the Italian organizers influenced the press conference for its own interests more than the collective interest of the conference.
- Interpretation was insufficient. The EMHRN policy to have Arabic, English and French as standard languages was not respected. French was exchanged for Italian which made it difficult for some participants to fully enjoy and contribute to the conference.
- Some interpreters were excellent but some did not have sufficient quality.
- Future conference of this kind should pay special attention to these above mentioned points.

Issues that need the attention of the Executive Committee

A manual for the planning of conferences needs to be established for the network. This should attempt to standardise rules for e.g. making agreements with those putting their knowledge and work to the disposal of the EMHRN, rules for logistics, rules for organisation standards and rules for the co-operation with member organisations, and procedures for transparency and consultation.

The division of responsibilities between the secretariat, steering committees, partners and other actors need to be cleared in each co-operative project. Contingency plans would need to be in place in case the host agency runs into organisational problems.

When it plans, the steering committee needs to constantly be aware of the most effective method of working to reach its objectives. Working methods for conferences need always to be evaluated. For example, the method 'appreciative enquiry' was appreciated by some and not at all by others. It is a method sensitive to factors like trust and willingness to participate.

One threat to the work of the network in carrying out its program of action is the issue of trust/lack of trust. It sometimes manifests itself in the motivations of both North and South. It sometimes appears between members of the networks and the intergovernmental agencies, and sometimes between individuals.

As a conclusion we would like to put forward that in spite of very serious problems that need to be dealt with in future work, the conference was a step forward as it leaves us with more to do, and follow up to take. It had an impact greater than itself on the day.

We would like to acknowledge with thanks the contributions from the many people who supported the meeting by sharing their knowledge and experience at the meeting, in a spirit of good will for the future.

EMHRN, Executive Committee, Valencia 15 April 2002.

Annex 6: Letter from the EC to Mr Christopher Hein

25.03.02

Dear Mr Hein.

On behalf of the Executive Committee (EC) of the Euro-Mediterranean Human Rights Network (EMRHN), I send you my best regards.

I am writing you to inform you that the EC met for its ordinary meeting on 28 February and 1 March 2002 in Athens, and discussed, amongst other items, the Conference in Trieste on Migrants, Refugees and Human Rights in the Euro-Mediterranean region.

The EC members appreciated the efforts made by the Italian Refugee Council in organising the Conference.

However, the EC members were also very concerned about the announcement that you made to the press on the first day of the conference: It was announced that a main outcome of the conference would be the creation of an Observatory on migration and refugees in Trieste without prior consultation with the EMHRN or with the participants at the conference, and the statement that was widely published in the press on the subsequent day.

The EC acknowledge that a declared aim of the conference was the preparation of the ground for a permanent structure to work on the conference issue in a Euro-Mediterranean context.

However, no agreement was ever made on the concrete follow-up to the conference. In fact, the whole idea of the conference was to discuss strategies and methodologies with the participants and not to present them with a *fait-accompli*.

The effect of the announcement became that many participants felt taken hostage by the organisers and as being invited solely on the ground that they should legitimise a prior agreement taken without their consent. The way the opening session was managed by the director of the EuroMed Institute taking undue time from the other sessions also contributed to giving the impression that participants were in Trieste to endorse prior agreements.

We believe the event causes doubt about the spirit in which the Italian Refugee Council and the EuroMed Institute conducted cooperation the EMHRN. It sowed distrust among participants and seriously hampered proceedings.

We therefore ask you to formally and publicly dissociate the Trieste Conference from all eventual initiatives initiated by the CIR and the EuroMed Institute in follow-up to the conference.

On behalf of the Executive Committee.

Sincerely yours

Abdelaziz Bennani,
President, EMHRN

ANNEX 7: LETTER FROM MR CHRISTOPHER HEIN TO ALL EMHRN MEMBERS

To all members of the EMHRN

Dear Colleagues,

To our great surprise we have received a letter from the President of the EMHRN, on behalf of the Executive Committee, in which the Italian Council for Refugees, an ordinary member of the EMHRN, is heavily criticised and accused. The letter is attached for your information.

I am sorry to be obliged to call your attention on this matter in a moment when we are all afflicted by the most atrocious human rights violations committed these days on the Palestinian land. Maybe you may understand that we cannot remain silent in front of this letter, which is unacceptable in substance and form.

The Italian Council for Refugees requests formally:

- a. On the basis of Art. 4.2.4 letter b) of the EMHRN statutes, that this matter is put on the agenda of the next General Assembly of the EMHRN.
- b. That the minutes of the meeting of the Executive Committee, relating to the subject, held in Athens on 28th February / 1st March 2002 are circulated to all members before the next General Assembly
- c. That the EMHRN Assembly on the basis of Article 4.2.1 letter g) of the statutes shall vote a motion in which the Assembly declares that the Italian Council for Refugees, asked by the EMHRN to collaborate in the field of migration and asylum in human rights contest, has co-organised the Trieste Conference in January 2002, in the spirit of further promoting the aims and objectives of the Network.

In considering the matter, members of the Network may take note of the following statement of the Italian Council for Refugees (CIR):

1. In violation of Article 4.3.4 of the EMHRN statutes, CIR has not received any written or other notice of the Athens Meeting of the Executive Committee.
2. In violation of Article 4.3.2 of the Statutes, CIR was not put in the position to participate in the Athens Meeting of the Executive Committee and was informed only after the meeting, though the above mentioned letter that issues related to CIR activities and projects were on the meeting agenda
3. It is untrue that the Director of CIR had announced in a press conference that a main outcome of the conference would be the creation of an Observatory on migration and refugees in Trieste. The truth is that the Director of CIR has announced in a press conference that the Trieste Conference would discuss the eventual constitution of a permanent monitoring and support agency. This is exactly what had been discussed in a preparatory meeting in Rome on September 29th 2001 in which members of the Executive Committee had taken part (see summary of the meeting proposal by the Executive Director of the EMHRN). If the press has reported the words of the director of the CIR differently, it is not a matter on which the CIR can be held responsible.
4. It is untrue that the EMHRN or participants of the Trieste Conference were not consulted. The truth is that there had been a constant consultation between the CIR and the EMHRN on the organisation of the Conference on the Basic Document, including two preparatory meetings with members of the Executive Committee. Each detail was discussed and jointly agreed upon.
5. It was announced at the Trieste Conference that the Executive Committee would adopt a Declaration on Migration and Asylum, to be brought to the attention of the Valencia Meeting of the Euro-Med Governments. Up to now, no such document has been circulated to the membership, nor adopted by the Executive Committee.

6. The next General Assembly of the EMHRN should request the Executive Committee to present a programme of follow-up of the Trieste Conference on the subjects of migration and asylum in the area.

Friends,

I should like to express my disappointment that, after having made considerable efforts during several months for the successful organisation of the Trieste Conference, in perfect harmony and mutual trust, especially with the EMHRN Executive Director and some members of the Executive Committee, the Italian Council for Refugees and myself are treated the way it appears from the attached letter,

Best regards,

Dr. Christopher Hein
Director of the Italian Council for Refugees,

PART 3: PLAN OF ACTION ADOPTED AT THE 4TH GENERAL ASSEMBLY, NOVEMBER 2000.

Five years ago the governments of 27 countries (the Partners), and the European Union, in establishing the Euro-Mediterranean Partnership initiative (EMP), committed themselves to act in accordance with the United Nations Charter and the Universal Declaration of Human Rights. They agreed to develop the rule of law and democracy in their political systems and to respect human rights and fundamental freedoms including freedom of expression and freedom of association, and to combat racism, xenophobia and intolerance. Furthermore, they recognized the important role civil society can play in contributing to the Euro-Mediterranean development process by promoting better mutual understanding and closer co-operation between peoples.

These intentions of the Barcelona Declaration have since then been confirmed in bilateral Association Agreements between the EU and five South Mediterranean partners, article two of which states that the respect for human rights and democratic principles underlies their policies and is an essential element of the agreements. Furthermore, it has been confirmed in relation to pre-accession strategies for three non-EU Mediterranean Partners based on the Copenhagen Criteria.

The EMHRN was established in January 1997 upon the initiative of North and South based human rights organisations in response to the Barcelona Declaration and the establishment of the Euro-Mediterranean partnership. Today, it has more than sixty members representing human rights organisations and institutions, as well as individuals, from over twenty countries in the region.

Its overall objective is to

- * Support and publicize the universal principles of human rights as expressed by all international instruments on human rights and as expressed by the Barcelona Declaration of November 1995.
- * Strengthen, assist and coordinate the efforts of its members to monitor compliance by the Partner States with the principles of the Barcelona Declaration in the field of human rights;
- * Support the development of democratic institutions, the promotion of rule of law, human rights and human rights education in the Euro-Mediterranean region.

Since its establishment, the EMHRN has become known as a credible regional civil society partner to the EMP.

In the years to come, the EMHRN will develop its approach as a constructive interface between the EMP institutions, human rights organizations in the region and other relevant agents involved in the Barcelona process.

The following pages details the main issues and initiatives that will guide the EMHRN's work. It is based on the EMHRN statutes; its work program of 1997; recommendations of the third General Assembly, April 1999, and proposals developed by the executive committee since the Stuttgart assembly.

The paper describes the

1. General considerations upon which the EMHRN's work is built.
2. General methodology of the EMHRN.
3. Concrete initiatives that will be taken by the EMHRN in the future.

1. GENERAL CONSIDERATIONS

The *raison-d'être* and the specificity of the EMHRN is the Euro-Mediterranean Partnership (EMP) and the dynamic the Barcelona process has installed in the region. The EMHRN work program and strategy are closely linked to the EMP and are guided by the following three assumptions:

- * The Euro-Mediterranean Partnership and the accompanying Barcelona process offer an important framework for human rights, democracy and civil society promotion and protection.
- * Yet, the Euro-Mediterranean Partnership is dominated by a top-down approach, and it is more directed by security concerns than by solidarity principles.
- * There is a need to strengthen cooperation between human rights activists working on the ground in order for these to benefit from, and be able to act upon, the rise of this new regional geo-political entity. Network structures and horizontal cooperation are flexible and participatory ways of meeting such new challenges.

Therefore, and based on the recognition that human rights are universal, indivisible, interdependent and interrelated, the EMHRN aims to

- * develop the human rights instruments and mechanisms that are embedded in the Barcelona process
- * monitor the impact of the Barcelona process on human rights promotion and protection
- * strengthen civil society participation in the development of the Barcelona process;
- * enhance human rights organisations' capacity to work on the ground through a synergetic process of exchange of experience and knowledge between the organisations on the basis of their constituencies

It will do this by means of a general methodology consisting of three interlinked and interrelated activities:

- A. Information, documentation and dissemination.
- B. Dialogue, advocacy and campaigning.
- C. Capacity building and education.

2. GENERAL METHODOLOGY

A. Information, documentation and dissemination

The EMHRN will raise awareness of the human rights dimension of the Barcelona process among its members and the public at large, and inform the EMP mechanisms and the public about the human rights situation in the region as well as about the work of human rights organisations.

This will be carried out through

- * the maintenance of a computerised information service (including a web site and an electronic mailing lists);
- * the development of a media strategy; periodical reports about the development of the human rights dimension of the Barcelona process and about key human rights issues in the region;
- * in-depth research on issues which are not covered by existing knowledge; and
- * the publication of reports on the general activities of the EMHRN.

Furthermore, the EMHRN will each year organise a training seminar for its members on key human rights issues related to the Barcelona process. A booklet will be produced in relation to each seminar as a tool for goal oriented activities.

B. Dialogue, lobbying and campaigning

The EMHRN will participate in the strengthening of the human rights mechanisms embedded in the Barcelona process, and promote dialogue between civil society and the EMP institutions in the field of human rights.

On a permanent level the EMHRN will lobby the Partnership to develop a working programme, actions and mechanisms for the implementation of the human rights provisions and principles of the Barcelona Declaration and EMP Summit conclusions, as well as the human rights clauses of the Association agreements. In addition, campaigns on urgent issues will be organised.

Dialogue, lobbying and campaigning will be based on the active participation of the members of the EMHRN whose inputs will be complemented by the operational bureau of the EMHRN in Copenhagen and its antenna in Brussels (see below).

The EMHRN will arrange meetings between its members and relevant officials and representatives of the EU institutions, and of the Partner Countries, and with international and regional organisations, depending on the nature of the issue. These activities will be supported by the EMHRN reports and its computerised information service.

C. Capacity building and general education

Capacity building and awareness raising is crucial for human rights promotion and protection in the region. The EMHRN will enhance this by

- * strengthening communication and exchanges between human rights organisations;
- * promoting the development of joint projects between EMHRN members including transfer of knowledge from one organisation to another.

This will be carried out by encouraging members to become lead agencies within their field of expertise and by developing networks within the network; organising exchange visits between member organisations and periodical meetings of working groups under the umbrella of the EMHRN on issues such as human rights education; migrant and refugee issues; women's rights; conflict resolution; human rights monitoring; and capacity building.

Special concern will be devoted to the support of member organisations operating in countries where state repression is high and funding opportunities limited.

Communication, exchange and coordination will be supported by the operational bureau including its information service.

3. EMHRN METHODOLOGY IN PRACTICE

On a concrete level, the EMHRN will opt for the strategic choice of linking its program of activities to the official agenda of the EMP, while maintaining an independent and critical stance on the Partnership's development.

The EMHRN will open an office in Brussels that will

- * represent and implement the policy of the EMHRN and its members in relation to the institutions and representatives of the EU and the EMP.

- * inform EMHRN members about the policies and development of the institutions of the EU and the EMP.

- * facilitate access of EMHRN members to the institutions of the EU and the EMP.

From early 2001, the EMHRN will establish a calendar of all main events related to the Barcelona process relevant to human rights, i.e. regional meetings, bilateral meetings, EU institution agendas, priorities of the various Presidencies of the EU, development of new policies, resolutions, etc. The calendar will be regularly up-dated and revised and will be a leading thread for the timing of EMHRN activities in relation to the Barcelona process.

These activities will be implemented following 4 tracks:

A. Regional mechanism

B. Key initiatives

C. Country priorities

D. Thematic priorities

In carrying out its program, the EMHRN will coordinate or cooperate with relevant partners, such as member organisations, and international and regional human rights NGOs. Thus, the activities listed below should not be considered the exclusive domain of the EMHRN, but as key activities to which the EMHRN will commit itself in order to further the development of the human rights dimension of the Barcelona process.

A. Regional mechanisms

Despite the EMP governments' commitment to human rights in the Barcelona Declaration and despite the reaffirmation thereof in the bilateral association agreements (as well as in pre-accession talks) few steps have been taken by the official partnership to establish structures, fora or mechanisms whereby human rights concerns can be taken further within the framework of the Barcelona process.

Building on the results of previous activities, the EMHRN will focus on four potential human rights mechanisms of the EMP:

- i. The MEDA programs
- ii. The Committee of High Officials, the Barcelona Ambassadors.
- iii. The Euro-Mediterranean Inter-Parliamentarian Forum
- iv. The Association Council meetings

i. The MEDA Programs

The MEDA programs constitute the main financial instrument of the EMP and, according to the MEDA regulation, their implementation should be based on the respect for human rights and democratic principles. In addition, a percentage of the MEDA funds are to be used for the support of civil society in agreement with governments of partner countries.

However, little has been done so far to integrate a human rights approach into policy making regarding MEDA funds, and little is known about the funds' impact on the human rights situation in the beneficiary countries, or on the impact on civil society support programs.

Therefore, the EMHRN will advocate for

- * the EU to produce regular evaluations of the MEDA Programs' impact on the human rights situation in the region.
- * the ear-marking of a fixed percentage of the MEDA funds for human rights projects within the framework bi-lateral programs between the EU and its Mediterranean partners. Unused funds should be returned and allocated for regional projects.
- * the ear-marking of a fixed percentage of the general MEDA funds for the support of countries engaged in explicit reform programs towards democracy and human rights compliance, for example by means of national human rights plans as recommended at the world conference in Vienna 1993.

In order to support advocacy in this field, the EMHRN will commission a report that will:

- * Critically assess existing documentation regarding the use of the MEDA funds, including existing evaluation reports.
- * Enquire into the existing use of (and programs for) MEDA funds devoted to civil society support.

On the basis of the results of EMHRN advocacy in this field, it will examine the feasibility of establishing a similar initiative in relation to the European Investment Bank policies.

ii. The Follow-Up Committee of High Officials

The EMHRN will advocate for the establishment of an independent committee under the Committee of High Officials (the Barcelona Ambassadors) with the mandate to:

- * Recommend to the Committee of High Officials specific action, targeting a particular country.

- * Appoint special rapporteurs in relation to countries as well as thematic issues.
- * Enter into dialogue with governments regarding specific questions and problems.
- * Prepare an annual report on the human rights situation in the individual countries and possible assess areas where progress in the human rights protection can be detected and where it is moving backwards.
- * Become a focal point for partner countries, which are looking for financial assistance from the European Union for human rights programmes, including the development of national human rights plans.

In order to move this idea forward a comprehensive paper on the idea and structure will be elaborated situating it in relation to other institutional models and finding inspiration in the sub-commission of the Human Rights Commission; pre-accession strategies to the EU; the EU-ACP Agreement; and the Commonwealth institutions.

Before being launched, the paper will be discussed at a meeting with experts and members of the EMHRN.

iii. The Euro-Mediterranean Inter-Parliamentary Forum

The EMHRN will advocate for the establishment of a human rights committee within the framework of the Euro-Mediterranean Inter-parliamentary Forum having the mandate to address human rights issues of regional concerns, including individual cases and country issues, and to propose to the EMP governments:

- * Initiatives for the promotion and protection of human rights in the region.
- * Initiatives towards arriving at common standards and norms in the field of human rights.
- * Initiatives towards promoting dialogue between civil society, parliaments and governments.

iv. Association Council Meetings

The EMHRN will continue past efforts of advocating for human rights to become an explicit point on the agenda of the Association Council meetings in relation to the bi-lateral agreements between the EU and its Mediterranean Partners. In this regard, its work will be linked to, and based on, the three initiatives listed above. In order to further the idea of incorporating human rights on the agenda, the EMHRN will

- * Publish briefings/ reports on the occasion of association council meetings in cooperation with members.
- * Urge the relevant Inter-parliamentary delegations of the European Parliament to promote human rights dialogue, and assessments of human rights progress or set-backs, in relation to association council meetings.

* Urge the European Parliament to organise human rights hearings in relation to assent procedures related to bi-lateral association agreements.

B. Key initiatives

i. Civil Fora

The EMHRN was established as a civil society partner to the EMP. As such it has given priority to the Civil Fora held in relation to the Summits of the EMP. These are occasions for affirming the importance of civil society participation in human rights promotion and protection in the Barcelona process, and for making civil society voices heard by governments and the public at large.

The EMHRN was among the main organisers of the Civil Forum in Stuttgart, April 1999, and is co-organising the Marseille Civil Forum, November 2000, and has as such been conducive to bringing human rights and independent human rights activists on the forefront of the agenda of these meetings.

The EMHRN will build on this acquis. As soon as the dates and location of the 5th EMP Summit is known, the EMHRN will take contact to relevant partners and officials in order to ensure a strong human rights input at the meeting. Furthermore, it will work for the strengthening of direct encounters between civil society representatives and governments before, under and after the Summits.

ii. Dialogue with governments

Human rights dialogues are important mechanisms in creating a general understanding of the nature and scope of human rights as well as creating a less defensive attitude towards the implementation of human rights.

Thus, the Euro-Mediterranean Human Rights Network will seek to promote that human rights dialogues are being established in as many areas as possible within the framework of the Barcelona process. In this regard, the EMHRN aims to

* assist whenever needed members of the network in creating dialogues at the national level;

* use the international dimension of the network to engage itself in dialogues with governments as a supplement or alternative to a uniquely domestic dialogue.

The EMHRN has already initiated dialogue with the Jordanian, the Syrian and the Egyptian governments on various levels, and is involved in a joint project on Access to Justice with the Nordic EU countries.

Before the fifth general assembly, it will produce a paper evaluating the outcome of its initiatives in this regard in order to stimulate discussions on how to move forward in this field.

Regarding the dialogue conducted by members of the network, it will elaborate a tool box with good examples and methodologies taking into consideration the different cultural and religious traditions and approaches to dialogues.

Furthermore, the Network will suggest to the Commission that it support and initiate the creation of national human rights plans in all partner countries (following the recommendations from the World

Conference on Human Rights in Vienna in 1993) as an opportunity to establish and institutionalize a dialogue between governments and human rights organisations and civil society in general.

C. Countries priorities

The EMHRN will in the next years give priority to the human rights situation in the non-EU EMP countries, in particular Turkey and the Arab EMP countries. As mentioned above, special concern will be devoted to the support of member organisations operating in countries where state repression is high and funding opportunities limited.

The situation in the EU countries is far better than in the South and Eastern part of the Mediterranean in terms of democracy, human rights compliance and participation of civil society in decision making processes. Therefore human rights issues in the North will mainly be approached through the EMHRN's thematic priorities.

In order to systematise its country strategy, members of the EC and secretariat staff will during the first half of year 2001 visit all South and East Mediterranean members with the purpose to:

- * Discuss priorities of the members in relation to the Barcelona process for the next years to come.
- * Discuss what members expect from the EMHRN.
- * Discuss members' contribution to the EMHRN
- * Establish a calendar of main human rights related events in the various partner countries.
- * Establish a report of the mission and on this basis establish a draft programme for EMHRN country priorities to be discussed by the member base.

D. Thematic priorities

The EMHRN has identified the following thematic priorities in its work:

- i. The protection of human rights defenders, including freedom of association and expression
- ii. Justice and equal access to justice
- iii. Women's rights
- iv. Migrants' and asylum seekers rights, and human exchange
- v. Human rights education
- vi. Self-determination and the rights of refugees
- vii. Economic, social and cultural rights

i. Protection of Human Rights Defenders, including freedom of association and freedom of expression

Civil society participation is crucial for the development of the human rights dimension of the Barcelona process, and human rights defenders are key actors in this regard.

Despite the commitment of the EMP to international human rights principles, harassment, repression, torture, imprisonment, etc. of human rights defenders is still widespread in the region. Furthermore, freedom of association and expression standards, key rights and preconditions for civil society participation in the development of their societies, give rise to serious concern in several South and East Mediterranean countries.

Thus, the transitional period initiated by the Barcelona Declaration, has yet to translate into a programme for protecting human rights defenders in practice and a working program for the development of regional standards and principles for the promotion and protection of freedom of association and expression, including adequate training and education needed for capacity building in this field.

The EMHRN initiatives in relation to a regional human rights mechanism, dialogue with governments and in relation to country priorities are an integral part of its work under this chapter. In addition, the EMHRN propose the following initiatives:

a. Cooperation with international NGOs

Human rights organisations have developed significantly over the past decades. Yet, resources are few compared to state assets when it comes to the combat of repression of human rights defenders. Therefore, cooperation and coordination of activities between international, regional and national human rights organisations is needed.

The EMHRN will call major international human rights NGOs working in the region for an annual meeting in order to discuss how to improve coordination of activities, as well as priorities for work in the region.

Furthermore, it will continue past practice of cooperating with international organisations and its members in sending missions to key trials, and with regard to urgent appeals.

b. Foundation for Human Rights Defenders

Funds are essential for the protection of human rights defenders. Even small funds can make a big difference, for example when it comes to: travel and accommodation costs for persons who are forced to escape their country for a limited period of time; the purchase of a mobile phone when all telephone lines have been cut by the authorities; the purchase of fax machines or computers; economic support for the health care of ill persons recently released from prison; economic support to families whose members were sacked or jailed by the authorities, etc.

Human rights defenders are in need of readily available funds for such purposes. Therefore, the EMHRN will establish a Foundation for Human Rights Defenders in the Euro-Mediterranean region with a board consisting of independent personalities.

It will finalise a proposal for statutes of the Foundation before the 5th General assembly of the EMHRN, including the proposal that membership fees to the EMHRN are ear-marked for the foundation. Furthermore, it will urge funding agencies, private companies, political parties, etc. to contribute with the necessary basic capital.

c. Trial monitoring network

Trial monitoring is a key instrument in human rights work. It is a main instrument in assessing the compliance by states with international human rights commitments with regard to fair trial procedures. Furthermore, it serves as a mechanism to protect human rights defenders and persons persecuted for political reasons.

Lawyers and NGOs have in the past years worked extensively in the field of trial monitoring in the Euro-Mediterranean region. However, no systematic exchange of information or experience has resulted from these activities. Neither do we find regular consultations between persons involved in trial monitoring in the South and the North of the Mediterranean. The EMHRN will therefore encourage member organisations and partners to run a seminar/ workshop with the aim of

- * Comparing legal systems and trial procedures in the region.
- * Discussing methodologies for trial reporting and for the follow-up on trial monitoring.
- * Identify needs and methods for strengthening trial monitoring in the region as well as for increased cooperation and exchange of information between trial monitors.
- * Form the basis of a Euro-Mediterranean network of trial monitors, and of North-South monitoring mission teams.

d. Freedom of association

On 5-7 October 2000, the EMHRN is co-organising a seminar on freedom of association in the Euro-Mediterranean region in Casablanca with the objective to

- * situate the question of freedom of association in a Euro-Mediterranean context and to review the current state of affairs;
- * adopt a work programme and identify the means for promoting freedom of association in the context of the Barcelona process in synergy with ongoing initiatives.

As a follow-up to the seminar, the EMHRN will call for a meeting of key participants in order to ensure implementation of the recommendations of the seminar.

In particular, the working group will consider how to implement proposals to:

- * Monitor the situation of freedom of association in the region.
- * Enhance the capacity of human organisations to promote freedom of association on a national level.
- * Enhance the capacity of human rights organisations with regard to the strengthening of their internal organisation, to management and strategic planning.

* Raise funds to implement activities in the field of freedom of association.

e. Freedom of expression

The EMHRN will promote the idea of organising a seminar on freedom of expression in the Euro-Mediterranean region in order to establish a platform and working program in this field. In this regard, it will contact freedom of expression NGOs working in the region in order to explore possibilities for cooperation in this regard.

ii. Justice, including equal access to justice

The commitment of the EMP partners to create a zone of peace, stability and prosperity in the Euro-Mediterranean region implies the respect for human rights and the developing of rule of law and democracy. As such it demands bringing internal legislation into conformity with international human rights standards, and the just application of the rule of law, i.e. sound administration of and equal access to justice.

Most violations are today caused by unjust laws and legislation that run counter to international norms, as well as by deficits in implementing the law.

The latter often manifests itself in the:

* prosecution of individuals and groups for exercising their individual or public liberties under the pretext that they disturb public order or they threaten the security of the State.

* impunity of public agents or employees involved in human rights violations

* unfair trials and unequal access to justice in relation to individual freedoms and socio-economic and cultural rights.

In the South and East Mediterranean where democratic institutions are lacking, there is no clear-cut separation of legislative, executive, and law enforcing authorities. As such, justice and the administration thereof is subordinated to the political power, and is often used for repression of freedoms and liberties.

In order to set-off a dynamic in the field of Justice, the EMHRN will

* Promote the idea among its members of strengthening efforts to monitor trials on a local level and of strengthening legal advise centres

* Support increased dialogue between the North, South and East of the Mediterranean on how to work towards common standards in the region .

It will collaborate with the Danish, Finnish and Swedish governments on the organisation of a regional conference in April 2001 on equal access to justice in order to

* review progress in this field;

* reach an understanding of common standards and changes needed;

* discuss methodologies and mechanisms for the promotion of equal access to justice within the framework of the Barcelona process.

A group of experts should be asked to continue the work on the conference themes for one year and produce a report, the result of which should be discussed in a larger forum, eventually a euro-med conference on human rights and justice in year 2002.

In order to support the preparations of the conference and its follow-up, the EMHRN will establish a working group to support the organisers of the conference and the follow-up committee.

iii. Women's rights

While the Barcelona Declaration considers human rights to be a corner stone of the Partnership, women's rights are hardly evoked except for the recognition of the key role of women in development and the need to promote their active participation in economic and social life and in the creation of employment. Yet, it is difficult to conceive how the objectives of the EMP can be reached without full participation of women in the economic, social, cultural and political life of their respective societies.

Today, this participation is seriously hampered by the inequalities between men and women that are inscribed in the legislation of several countries (Morocco, Algeria, Egypt, Lebanon, Syria, etc.); the state of traditions and mentalities; and the lack of political will of several governments. Although most of the EMP countries have signed the Convention on the Elimination of All Forms of Discrimination against Women, reservations have often been made that devoid the countries' commitment of any legal impact.

Women in the region are today organising to denounce the situation in which they find themselves; to claim equality and halt to legal discrimination; and to struggle against negative representations and social practices. Tens of women's organisations have seen the day of light in the past years, regional networks have been created and thousands of women involve themselves in the work of human rights organisations.

In this context, the EMHRN is co-organising a conference on women's rights in the Euro-Mediterranean region, in Marseilles, that originally was scheduled to take place on 27-28 October, 2000, but postponed to the beginning of year 2001 due to the situation in Israel and Palestine.

The aim of the conference is to

- * Review the current state of violations of women's rights (institutional, social, and domestic).
- * Assess government policies to diminish discriminations against women.
- * Assess and review major initiatives by women in the region with the view to diminish discriminations against women.
- * Assess the major problems facing women in migration and in asylum.
- * Draw-up recommendations for the Euro-Mediterranean Partnership.

The EMHRN will base its future work on the outcome of the conference and contribute to the follow-up of the recommendations.

iv. Migrants, asylum seekers and human exchange

The question of migrants' and asylum seekers' rights and the question of freedom of movement and human exchange is a key issue of the Barcelona process, and a key area for developing the EMP in the spirit of solidarity.

Several organisations already work in this field to which the EMHRN will bring its resources in its capacity of being a network based in the North, South as well as the East of the Mediterranean:

a. At the Special Meeting of the European Council on the Establishment of an Area of Freedom, Security and Justice, 15/16 October 1999, Tampere, the EU approved the action plan of the High Level Working Group on Asylum and Migration which is intended to diminish migration pressure on the EU and which includes one EMP country, i.e. Morocco. Experience from implementing the plan for Morocco will be used in relation to similar plans for other EMP countries. Therefore, the EMHRN feels it important to monitor the overall effect of the plan for human rights protection and promotion of the Moroccan population.

b. The EU Council of Ministers has agreed on the wording of a text concerning readmission of undocumented third country citizens to countries from which they entered Europe.

The wording will be sought incorporated in future association agreements which in the long run risk to force third countries to strengthen border controls and tighten visa regimes and thus become buffer zones for Europe in relation to migrants and asylum seekers.

A main problem concerning readmission agreements is that very little is known about the South and East Mediterranean countries protection standards of political refugees and their handling of documented as well as undocumented migrants, and thus the conditions to which people are sent back.

Various articles, reports and testimonies tend to show that standards for protecting refugees and migrants in several South countries are worse than in Europe. Furthermore, the Arab Convention against Terrorism seems to be implemented by several countries against internationally recognised protection standards.

c. In recent years, several EU countries have legalised a large number of undocumented migrants (for example France, Greece, Spain, Italy and Belgium). In each country, NGOs have been active in monitoring the procedures and effects of legalisation, but it seems that no overview or comparative approach to the issue exists in a European context.

In order to move further in the above mentioned fields, the EMHRN will organise a workshop with the participation of member organisations, experts and representatives of other relevant organisations with the mandate to out-line a program for:

- * Monitoring the EU High Official Committee plan of action for Morocco in the field of migration.
- * Gaining comprehensive knowledge of the situation of migrant and refugee protection in the South and East Mediterranean countries including the readmission agreements between the EU and its Mediterranean Partners.
- * Discuss and identify needs for strengthened regional cooperation between human rights organisations, refugee organisations, migrant organisations and anti-racist organisations, in particular in relation to the question of undocumented migrants.

v. Human Rights Education and Training (HRE)

The EMHRN will build on the results of the Bray workshop on human rights education and pay attention to the need to train its members in human rights education to ensure the development of new generations of human rights defenders

The EMHRN will support the Cairo Institute for Human Rights Studies; 80:20 Education and Citizens for a Better World; the University of Essex, the Arab Institute for Human Rights and the Foundation for Human and Humanitarian in Lebanon in taking the lead on the promotion of HRE within the framework of the EMHRN. It will support the enlargement of the working group, and support the developments of its activities according to the guide lines of the Bray workshop, April 2.000.

In particular,

- * The drafting of an EMHRN Declaration on Human Rights Education - translating, publishing and disseminating it widely.
- * A project for taking stock of current activities and approaches to HRE within the countries represented in the Network. This project would, in essence, be a digest or review of experiences, current practice and methods etc.
- * Designing and publishing an annotated listing of human rights related Internet sites (possibly in poster format) and begin the process of developing an EMHRN site with effective HRE content for different groupings etc.
- * The organisation of an annual or bi-annual Summer school. It would be held in various member states within the Network and could address a variety of issues such as Arab-Western dialogue in human rights, women's rights, methodologies in human rights education etc.
- * Commissioning a human right "primer" or "reader" of key documents and writings within human rights.

Finally, the EMHRN will explore possibilities for the build-up of training programs in a Euro-Mediterranean context for new generations of human rights activists.

vi. Self-determination and the right of refugees

The question of self-determination and the right of refugees with regard to the Middle East conflict has been marginalized in the Barcelona process. Full attention should be given to the question as a key issue for the promotion and protection of human rights as well as for conflict resolution based on international humanitarian and human rights principles.

The EMHRN will promote discussion among its members in order to arrive at a strategy in this field and in order to identify how it can make a difference compared to ongoing initiatives.

A conference organized by the Cairo Institute for Human Rights Studies in cooperation with the EMHRN (scheduled for 10 December 2000) on the situation of Palestinian refugees, and a forthcoming report on the situation of Palestinian refugees in Lebanon and Jordan, will constitute an important input towards identifying concrete action.

vii. Economic, Social and Cultural Rights

The EMHRN will develop its approach to the main financial and economic aspect of the EMP, i.e. the impact of the future free trade zone, the MEDA Program and EIB grants on the promotion and protection of human rights, civil and political rights as well as economic, social and cultural rights, and the right to development.

The EMHRN believes that the future free trade zone will have a profound impact on the region, and that it is imperative to monitor the impact hereof on the human rights situation.

In order to build-up expertise in this field for the benefit of its members, the EMHRN will establish a report on the disbursement and effect of MEDA funds since 1995. In this connection, it will seek information on and evaluate the use of funds allocated for civil society projects under the MEDA programs.

It will run a training seminar for its members on the economic chapter of the Barcelona Declaration, on its ideological foundation, and on its relation to the human rights dimension of the Barcelona process.