



Report from the Founding Meeting of the Euro-Mediterranean Human Rights Network

Copenhagen, January 10-11, 1997

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PREFACE

I am very pleased to be able to present to you the report from the first meeting of the Euro-Mediterranean Human Rights Network held in Copenhagen on 10-11 January 1997.

After this first meeting, where the overall guidelines of the Network were established, we now enter a critical phase where the Network is to be described in further detail in order to become operational. In this phase it is important to keep in mind two things:

Firstly, we have already achieved a lot. The Copenhagen meeting was characterized by a strong determination among the participants to materialize the Network. And the results of our meeting indeed signifies a giant leap forward for the realization of our visions for the Network.

Secondly, an international Network that seeks to coordinate and amplify the efforts of human rights organizations in 27 countries is not built in a day. Human rights organizations from so many countries and rooted in so many different traditions, cannot be expected from the outset to be able to keep in step with each other. This, however, should be perceived as an advantage, and not as a problem. The very process of building and developing the Network is as important as the Network itself. It is our heterogeneity that gives us the chance to widen our horizons and our discussions that allow us to learn from each other. It is through this process that we grow strong as a network.

On behalf of the Network, I would like to thank the Danish Ministry of Foreign Affairs for financing the Copenhagen meeting.

In the hope and belief that this event marked the beginning of a viable and significant Euro-Mediterranean Human Rights Network, I wish us all, and everybody that will join us in the future, the very best of luck.

Morten Kjærum
Director for the Danish Centre for Human Rights

EXECUTIVE SUMMARY

As a follow-up to the November 1995 Barcelona Declaration and Work Programme, and the creation of the Euro-Mediterranean Partnership (*the Partnership*) between 27 countries (*the Partner Countries*), the Danish Centre for Human Rights called for a meeting of human rights organizations and individuals from the Middle East, North Africa and the EU to take part in the establishment of a Euro-Mediterranean Human Rights Network with the objective of contributing to the implementation of human rights in the Partnership.

The initiative was dually motivated. First, activities in the field of human rights are not included in the Barcelona Work Programme, although the political and security dimension of the Partnership implies a political commitment by all parties to implement and adhere to fundamental human rights. Secondly, it is stressed in the Barcelona Declaration that the role of civil society in the implementation of the Partnership is essential and should be encouraged.

The objective of the meeting, which was attended by 13 organizations and three individuals, was to outline guidelines for the objectives, priorities, strategies, and the structure of the Euro-Mediterranean Human Rights Network (*the Network*).

At the meeting it was established that the immediate objective of the Network is to empower civil society to influence and ensure the implementation by the signatories of the human rights principles defined in the Barcelona Declaration. The overall objective of the Network is to promote the respect for human rights, democracy, and the rule of law, and hereby to contribute to the promotion of peace and security in the Euro-Mediterranean region.

Priority will be given to the issues of freedom of opinion and expression, thought and conscience, and assembly and association, as well as to the struggle against racism, xenophobia, and intolerance and to the protection of the rights of refugees. These issues are seen as internationally interrelated and interdependent, and it was decided that a synergetic cooperation between Northern and Southern organizations should be developed in order to take up the challenge they pose. It was, however, strongly stressed that these issues of priority are not exclusive, and that the Network should stay flexible and open to new situations and needs expressed by its members.

The Network sees itself as a product of the Barcelona Process, and its main strategy should concurrently be to cooperate with - and seek influence on - the official mechanisms of the Partnership. Research, documentation, monitoring, campaigning and lobbying, publication of reports and briefings, and human rights education and training will form the backbone of the Networks efforts to influence the Barcelona Process.

The constituent bodies of the Network will consist of a General Assembly, an Executive Committee, and a Secretariat. The Secretariat will have the possibility to set up ad-hoc working groups. The General Assembly will be composed of representatives from all member organizations, which must be non-governmental and independent and located in one of the Partner Countries.

A 10-member Steering Committee was set up to follow up on the workshop. The Steering Committee will be coordinated by a temporary Secretariat in the Danish Centre for Human Rights, and will be responsible for specifying the statutes of the Network and for preparing the first General Assembly within 1997.

1. BACKGROUND TO THE WORKSHOP

On 27-28 November 1995 the governments of 27 countries¹ (*the Partner Countries*), the Council of the European Union and the European Commission established the Euro-Mediterranean Partnership (*the Partnership*) by adopting **the Barcelona Declaration** and a **Work Programme**. The Declaration sets out the principles of cooperation between governments and non-governmental entities of civil society in three areas: the realm of politics and security, the area of economic and financial relations, and the field of social, cultural and human affairs.

The political and security dimension of the Partnership implies a political commitment by all parties to implement and adhere to fundamental human rights and freedoms. The signatories are thus engaged to:

- i. 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 party;
- ii. develop the rule of law and democracy in their political systems, while recognizing in this framework the right of each of them to choose and freely develop their own political, socio-cultural, economic and judicial system;
- iii. 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 ground of race, nationality, language, religion or sex;
- iv. give favourable consideration, through dialogue between the parties, to exchanges of information on matters relating to human rights, fundamental freedoms, racism and xenophobia;
- v. 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. The participants stress the importance of proper education in the matter of human rights and fundamental freedoms;²

¹ Besides the governments of the 15 EU countries, the signatories are the governments of Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria, Tunisia, Turkey, and the Palestinian Authority.

² The Barcelona Declaration p. 2-3

- vi. guarantee protection of all the rights recognized under existing legislation of migrants legally resident in their respective territories.³

Similar to the Helsinki Final Act agreed in 1975 by the CSCE, the Barcelona Declaration links in one document the protection of human rights to diplomatic progress on other issues. This linkage makes the Partnership a strong instrument to promote the respect of human rights in the region.

Still, the **Work Programme** that identifies actions to ensure the implementation of the objectives of the Barcelona Declaration does not include activities in the area of human rights. The implementation and development of the human rights aspects in the Barcelona Process must therefore be initiated by the civil societies of the Partner Countries.

This is in accordance with the Barcelona Declaration, in which the role of civil society in the development of the Partnership is strongly emphasized and encouraged. In the chapter describing the Partnership in social, cultural and human affairs it is stated that the participants of the Partnership:

- i. recognize the essential contribution civil society can make in the process of development of the Euro-Mediterranean Partnership and as an essential factor for greater understanding and closeness between the people;
- ii. agree to strengthen and/or introduce the necessary instruments of decentralized cooperation to encourage exchanges between those active in development within the framework of national laws: leaders of political and civil society, the cultural and religious world, universities, the research community, the media, organizations, the trade unions and public and private enterprises;
- iii. encourage actions of support for democratic institutions and for the strengthening of the rule of law and civil society.⁴

Against this background, the Danish Centre for Human Rights called for a meeting of human rights organizations and individuals from the Middle East, North Africa and the EU to take part in the establishment of a Euro-Mediterranean Human Rights Network that could work to implement and develop the human rights dimension of the Partnership.

³ The Barcelona Declaration p. 7

⁴ The Barcelona Declaration p. 7

2. OBJECTIVE OF THE WORKSHOP

The workshop had as overall objective to effect the establishment of a Euro-Mediterranean Human Rights Network (*the Network*) between human rights actors in the civil societies of the Partner Countries. Within this framework it was the objective to outline the guidelines for the objectives, priorities, strategies, and the structure of the Network, and to agree on specific follow-up activities to the workshop.

3. PARTICIPANTS IN THE WORKSHOP

Thirteen organizations were represented in the workshop. From Europe were the Finnish Aabo Akademi, the Dutch Refugee Council, the French organization Generiques, the Spanish Euro-Mediterranean Institute for Migration and Asylum, the English Human Rights Centre of the University of Essex, the Italian Helsinki Committee, the Greek Committee for International Democratic Solidarity, the European Council on Refugees and Exiles based in England, and the Danish Centre for Human Rights. From the Southern Mediterranean countries were the Moroccan Human Rights Organization, the Palestinian human rights organization al-Haq, the Arab Human Rights Institute based in Tunisia, and the Egyptian Organization for Human Rights. Three participants - a Jordanian journalist from Jordan Times, an Algerian lawyer based in England, as well as a Moroccan human rights activist from England - came in their individual capacities.

Several other organizations were invited and stated their positive interest in the establishment of the Network, but were prevented from attending the workshop. These organizations were, from Europe, the European Institute for Research on Mediterranean and Euro-Arab Cooperation based in Brussels, the Swedish Raoul Wallenberg Institute, the National Bureau Against Racial Discrimination from Holland, the Foundation on Inter-Ethnic Relations also from Holland, the Diakonisches Werk des Evangelische Kirche in Deutschland, the French Human Rights Ligue, and the Human Rights Foundation of Turkey, and from the Southern Mediterranean region, The Center for Human Rights Legal Aid in Egypt, the Foundation for Human Rights in Lebanon, and the Israeli human rights organization B Tselem.

The workshop was attended by four observers, one from the Danish Ministry of Foreign Affairs, one from the Danish Helsinki Committee and two from the Danish newspaper Politiken.

Finally the Executive Director for the International Helsinki Federation and the Coordinator of the Meda-Democracy Programme in the European Commission participated as key-note speakers in the workshop.

4. WORKSHOP PROGRAMME

The workshop programme included the following topics:

- * Objectives and priority issues of the Network
- * Strategies of the Network
- * Structure of the Network
- * Membership criteria
- * Follow-up procedures

As input to these topics the Executive Director for the International Helsinki Federation, Dr. Aaron Rhodes, presented the experiences of the Helsinki network that was established in the wake of the Helsinki Final Acts of 1975, and gave recommendations concerning the structure and strategies of the Network. The coordinator of the Meda-Democracy Programme in the European Commission, Mr. Ignacio Cembrero, presented the Meda-Democracy Programme and gave an account of the possibilities for cooperation between the Euro-Mediterranean Partnership and the Network. The presentations of Dr. Rhodes and Mr. Cembrero will be printed in full length in a separate paper.

5. RESULTS OF THE WORKSHOP

According to the objective of the workshop the participants discussed the following questions:

1. Objectives of the Network
2. Priority issues of the Network
3. Strategies of the Network
4. Structure of the Network
5. Membership criteria
6. Follow-up to the Copenhagen workshop

The following summary of the conclusions reflects a synthesis of the different points of view that were expressed during the discussions, and is not to be considered as the summary of unanimous decisions. It can be mentioned, however, that there was consensus concerning the issues of overall objectives, strategies, membership criteria, and follow-up, whereas the issues of priorities and structure raised a debate and need to be elaborated by the Steering Committee in the coming period (see chapter 5.6 on follow-up).

5.1 Objectives of the Network

The immediate objective of the Network is to empower civil society to influence and ensure the implementation by the signatories of the human rights principles defined in the Barcelona Declaration. The overall objective of the Network is to promote the

respect for human rights, democracy, and the rule of law, and hereby to contribute to the promotion of peace and security in the Euro-Mediterranean region.

5.2 Priority issues of the Network

In principle, the area of concern of the Network covers all rights mentioned in the Barcelona Declaration. Under the Barcelona Declaration the Partner states are committed 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 party."⁵ The range of human rights issues that the Network can deal with is thus very comprehensive.

However, due to the determination that the Network from the outset should be an efficient and unique mechanism for the protection and promotion of human rights within the context of the Barcelona Process, the participants decided that priority issues should be identified. It was furthermore decided that the selection of such priority issues should be done not only as a reflection of the situation in the Partner Countries, but also with the aim of creating a synergy between the work of Northern and Southern human rights organizations. In this connection it was accentuated that Northern and Southern organizations in the network should respect each other as equal partners.

A majority of the participants agreed that priority issues should be freedom of opinion and expression, thought and conscience, and assembly and association, as well as the protection of refugees and the respect for human dignity, including freedom from racism, xenophobia and intolerance. It was furthermore underlined that human rights are interdependent, interrelated, and international, as it is expressed in the UN Universal Declaration of Human Rights of 1948 and reaffirmed in the Vienna Declaration of 1993.

The violations of freedom of opinion and expression, thought and conscience, assembly and association in especially the Southern Mediterranean Partner Countries curb the development of civil society in this region. The easing of government restraints on civil society is a fundamental prerequisite for the contribution of civil society to the development of the Partnership. Moreover, a vibrant, free, and independent civil society is seen as a precondition for the development of democracy and for the respect of human rights and the rule of law. Viewed from this perspective, the freedoms of opinion and expression, thought and conscience, and of assembly and association are prerequisites for the protection and promotion of all human rights.

The suppression of fundamental rights in the South is closely interrelated with the major human rights problem of the North, which was identified in the treatment of

⁵ The Barcelona Declaration p. 2

immigrants and refugees. The violation of fundamental rights in the South causes an increased inflow of immigrants and refugees in the North. The widespread fear that increased immigration will mean a reduction in welfare, has spurred a rise in racism and xenophobic sentiments, actions, and policies toward immigrants and refugees in Europe. The fact that the rights of immigrants and refugees are repeatedly violated in European countries, risks to backfire on the work of human rights organizations in the South, as they find it increasingly difficult to hold up an example to follow.

Due to the international interrelatedness of human rights, the participants recognized that a synergetic cooperation between Northern and Southern organizations in the Partnership could and should be developed.

It was moreover mentioned - as illustrative examples - that freedom of expression is not only a problem of the South, just as intolerance is not exclusively a problem of the North. The fight for freedom of expression is an ongoing process in all societies. It includes for instance the right to access to information that is still a problem in many European states and in the institutions of the European Union. Equally, intolerance, as especially displayed by religious extremists, is also a matter of concern to many Southern organizations.

It was finally also agreed that an important function of the Network would be to protect the defenders of human rights, particularly in some Southern Partner Countries, where human rights advocates are frequently subject to government harrasments and emprisonment.

Despite the identification of the mentioned issues of priority, it was firmly stressed that these priorities were not exclusive, and that other issues should consequently also be of concern to the Network. Especially women s rights, social rights, including the right to education, the collective right to selfdetermination, freedom from torture, and the treatment of individuals locked up in institutions were highlighted as issues that deserved the attention of the Network in the longer run.

It was also pointed out that the human rights situation in especially the Southern Partner Countries varies greatly from one country to the other, and from one period to the other, and that the Network therefore as a general principle must remain flexible and open to deal with new situations and needs expressed by its members.

5.3 Strategies of the Network

The Network sees itself as a direct product of the Barcelona Declaration, and it is in its function as catalyst for the countribution of civil society to the Barcelona Process that it distinguishes itself as a unique mechanism for the protection and promotion of human rights. Accordingly, it was decided that the main strategy of the Network should be to cooperate with - and to seak influence on - the political and

administrative mechanisms of the Barcelona Process. These mechanisms include the European Parliament and its subcommittees for Human Rights and for political and security issues, the European Commission, the Euro-Mediterranean Committee for the Barcelona Process, and the governments and parliaments of the Partner Countries.

As a means to influence the Barcelona Process the Network should engage in the following activities (listed in arbitrary order):

- a) research on human rights matters of importance to the Barcelona Process,
- b) campaigning and lobbying,
- c) publication of annual reports on the situation of human rights in the Partner Countries containing recommendations as to how the Barcelona Process could contribute to rectify the situation,
- d) development of a system for "urgent action intervention" through electronic means of communication,
- e) publication and dissemination of briefings on urgent ad hoc issues,
- f) development of a platform for communication among the members of the Network and between the Network and the mechanisms of the Barcelona Process,
- g) human rights education and training.

5.4 Structure of the Network

An international network can take one out of two forms. Either the network consists of organizations that merely exchange services, knowledge, etc. This form does not require an elaborate organizational structure. Alternatively, the network consists of organizations that wish to coordinate certain actions. This form does require an organizational structure. Since the participants in the workshop all agreed that the Network should be able to take action on behalf of its members, and thus opted for the second form, an organizational structure had to be decided upon.

The following structure was considered appropriate by a majority of the participants:

General Assembly
All member organizations

Executive Committee
Elected by GA

Secretariat
General Secretary elected by GA
Ad-hoc Working Groups

A General Assembly consisting of one representative from all member organizations should possess the plenary authority of the Network.

The General Assembly should elect - and determine the mandate of - the Executive Committee that subject to the authority of the General Assembly should define the policies of the Network. The Executive Committee could consist of 27 members representing each Partner Country, but most participants found this suggestion inexpedient out of two considerations. First, a representative from a national organization would not in any case be representative of all other organizations in that country. Secondly, the Executive Committee must be assembled at least once annually which would be difficult to arrange for a 27-member committee, not least considering the financial restraints of most organizations.

The Secretariat would be the operating bureau of the Network. It would be responsible for the coordination of the meetings of the Executive Committee and the General Assembly. The Executive Committee should elect a Treasurer for the Network and a General Secretary as head of the Secretariat and should decide its specific mandate.

In order to remain flexible, the Secretariat should be able to set up ad-hoc working groups to assist it in its work.

While a majority of the participants could agree on this rough sketch of the organizational structure, the question of the mandates of the different constituent bodies was not settled. Especially the respective powers of the Secretariat and the Executive Committee were subject to discussion and are yet to be decided by the first General Assembly.

The location of the Secretariat was also discussed, but not settled. The proposition was raised (from Southern representatives) that the main functions of the Secretariat could be placed in a European country, and that a support structure could be set up in a Southern Mediterranean country. The proposition was however not seconded by all participants. The final location of the Secretariat will be decided by the first General Assembly.

5.5 Membership criteria

Four types of membership of the Network were introduced at the workshop:

1. Full and active members
2. Associate members
3. Observers
4. Subscribers

The first type of membership is open for all national or regional non-governmental organizations and academic institutions dealing with one or more aspects of human

rights. The full and active members will form the backbone of the Network, and should fulfill all of the following criteria:

- a) they must be located in one of the 27 Partner Countries,
- b) they must be either a non-governmental organization or - in the case of academic institutions - must enjoy autonomy vis-a-vis the government authorities,
- c) they must be active in at least one of the human rights issues contained in the Barcelona Declaration,
- d) they must accept the statutes of the Network and to cooperate with the existing members of the Network.

Associate members can be national or international non-governmental organizations that are not located in a Partnership Country, but that have programmes in one or more of the Partner Countries.

The status as observer can be given to interested organizations that are not able to join the Network as full and active members or as associate members. Furthermore, representatives from the independent media can come into consideration.

Any individual, institution, including governmental and intergovernmental organizations can become subscribers to the e-mail information services of the Network, which should be set up in the Secretariat.

It was discussed whether and in what capacity individuals should be allowed to be members of the Network. This issue is not settled and will be subject to further discussions in the Steering Committee (see below).

5.6 Follow-up to the workshop

A 10-member Steering Committee was set up by the end of the workshop, and it was decided that a temporary Secretariat should be set up in the Danish Centre for Human Rights to assist the work of the Steering Committee. The task of the Steering Committee will be to prepare the first General Assembly within a period of six - eight months.

To prepare for the General Assembly, the Steering Committee will have to:

- a) raise funds for the preparatory work of the Steering Committee and the Secretariat,
- b) propose a set of statutes for the Network, specifying goals, structure, the mandate of the constituent bodies, membership criteria etc. faithful to the results reached at the workshop and reflected in this report,
- c) propose a plan of action for the immediate future.

The first meeting of the Steering Committee took place in continuation of the workshop. The minutes from the meeting is enclosed as annex.

The Network as described above will only be operational after the first gathering of the General Assembly. However, it was agreed that cases of concern to one of the participants could be acted upon by the Network. A participant can circulate a proposal of action - for instance a letter of protest - to the other existing participants of the network. If all participants accept, the activity can be adopted as an official action of the Euro-Mediterranean Human Rights Network.

ANNEX

MINUTES FROM THE FIRST MEETING OF THE STEERING COMMITTEE

The ten-member Steering Committee held a meeting at the end of the Copenhagen workshop. At this meeting it was agreed to establish three working groups:

1. The working group on funding pledged to look for opportunities for funding the work of the Network till the end of the first General Assembly. The Network will need funding to cover expenditures for a coordinating secretariat with two employees in the Danish Centre for Human Rights, for a preparatory meeting of the Steering Committee, and for the holding of the constitutive General Assembly. It was agreed that Danida should receive the first application for funding.

The working group on funding is composed of Frans Bouwen from the Dutch Refugee Council, Hussein Daifallah from al-Haq, and Morten Kjærum from the Danish Centre for Human Rights.

2. The working group on the plan of action was given the responsibility of drafting a plan of action for the Network to be presented at the first General Assembly.

The working group on the plan of action is composed of Mohammad Monieb from the Egyptian Organization for Human Rights, Stefano Leszczynski from the Italian Helsinki Committee, Driss el-Yazami from Generique, and Saïd Essoulami.

3. The working group on by-laws was entrusted with the task of drafting the by-laws of the Network to be adopted at the first General Assembly.

The working group on by-laws is composed of Abdelaziz Bennani from the Moroccan Human Rights Organization, Hussein Daifallah from al-Haq, Philip Rudge from the European Council on Refugees and Exiles, and Sa'eda Kilani from Jordan Times.

Proposals for plan of action and bylaws must have been circulated to the entire Steering Committee by April 1st 1997. It will successingly be decided whether there is a need for a second meeting of the Steering Committee prior to the holding of the constitutive General Assembly

The Euro-Mediterranean Human Rights Network

Copenhagen workshop 10.-11. January 1997

List of Participants

(* Member of Steering Committee)

1. Frans Bouwen, Senior Consultant for External Relations*
Dutch Refugee Council
3e Hugo de Grootstraat 7
PO Box 2894
1000 CW Amsterdam, Holland
Tel: 31 20 68 8 1311
Fax: 31 20 688 2181
e-mail: VVN@vlw.antenna.nl

2. Abdelaziz Bennani, President*
Moroccan Human Rights Organization
24, Boulevard de France
Agdal/Rabat, Morocco
Tel: 212 7 77 00 60/212 2 27 30 49 (Casablanca)
Fax: 212 2 27 30 49/212 2 22 04 43

3. Hussein Daifallah, Public Relations Coordinator*
Al-Haq
P.O. Box 1413,
Ramallah, West Bank
Tel: 972 2 995 6421/995 4646
Fax: 972 2 995 4903
e-mail: hussein@baraka.org

4. Saad Djebbar, Lawyer
13, Catheram Rd
London SE13 17P, UK
Tel: 44 181 852 2339
Fax: 44 181 463 0952

5. Driss El-Yazami, Deputy Director*
Generiques
34, Rue de Citeaux
12. Arrondissement
Paris, France
Tel: 33 1 49 28 57 77
Fax: 33 1 49 28 09 30
e-mail: generic@imagnet.fr

6. Maria Amor Martin Estébanez, Researcher
Åbo Akademi
Gezeliusgatan 2,
20500 Åbo/Turko, Finland
Tel: 358 2 2 654 322
Fax: 358 2 2 654 699

7. Frej Fenich, Director
Arab Human Rights Institute
10, Rue Ibn Massoud (via Rue El Moez)
1004 Tunis, Tunisia
Tel: 216 1 767 003
Fax: 216 1 750 911
e-mail: AIHR@gn.apc.org

8. Víctor Gómez, Legal Adviser
Euro-Mediterranean Institute for Migrations and Asylum
c/ Zurbano, 29 - 3. derecha
E-28010 Madrid, Spain
Tel: 34 1 308 00 63
Fax: 34 1 319 76 45
e-mail: iema@isid.es

9. Alison Jolly, Academic Programme Manager
Human Rights Centre, University of Essex
Wivenhoe Park,
Colchester CO4 3 SQ, Essex, UK
Tel: 44 120 687 3333
Fax: 44 120 687 3627
e-mail: hrc@essex.ac.uk

10. Sa'eda Kilani, Journalist*
Jordan Times
University Road, PO Box 6710
Amman, Jordan
Private: PO Box 815 454)
Tel: 962 6 684 311 / 699 634 (work)
Tel: 962 6 55 14 962 (private)
Fax: 962 6 696 183

11. Stefano Leszczynski*
Italian Helsinki Committee
Via di Ripetta 66
00186 Rome, Italy
Tel: 39 6 360 015 49

Fax: 39 6 360 015 49
e-mail: a.stango@agora.stm.it

12. Mohammad Monieb, Secretary General*
Egyptian Organization for Human Rights
8/10 Mathaf Elmani St.,
Elroda, Cairo, Egypt
Tel: 20 2 362 0467
Fax: 20 2 362 1613/360 8271
e-mail: eoehr@idsc.gov.eg
13. Teocharis Papamargaris, President
Greek Committee for International Democratic Solidarity
25, Sp. Tricoupi Street
106 83 Athens, Greece
Tel: 30 1 38 13 052/30 1 32 21 812
Fax: 30 1 38 31 603
14. Philip Rudge, General Secretary*
European Council on Refugees and Exiles (ECRE).
Bondway House, 3 Bondway,
London SW8 1SJ, UK
Tel: 44 171 582 9928
Fax: 44 171 820 9725
e-mail: ecre@gn.apc.org

Observers:

Karin Hundebøll
Danish Ministry of Foreign Affairs, S.5
Asiatisk Plads 2
1402 Copenhagen K
Tel: 45 33 92 00 00

Anders Jerichow
Politiken
Rådhuspladsen
1550 Copenhagen V
Tel: 45 33 11 85 11

Pernille Bramming
Politiken

Erik Siesby
The Danish Helsinki Committee
Gothersgade 89
1123 Copenhagen K
Tel: 45 33 91 81 18

Initiators:

Morten Kjærum, Director *
Danish Centre for Human Rights
Grundtvigs Hus
Studiestraede 38
DK-1455 Copenhagen K
Tel: 45 33 91 12 99
Fax: 45 33 91 02 99
e-mail: mk@dcmr.dchr.dk

Saïd Essoulami*
68, Eton Rd
Ilford/Essex IG1 2UG, UK
Tel: 44 181 478 0206

Marie-Louise Halsteen
Danish Centre for Human Rights
e-mail: mlh@dcmr.dchr.dk