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- February, 28, 2007 ; 1March 2007

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- February, 27, 28, 2007

### Committee on Women's Rights and Gender Equality

- February, 27, 28, 2007

### Committee on budgetary control

- February, 27, 28, 2007

## CONFERENCES / EVENTS

REGIONS:

## AFRICA

### Guinea

► **La Commission européenne condamne la suspension des libertés fondamentales en Guinée (FR)** (14/02/2007)

La Commission européenne exprime son extrême préoccupation par rapport à la dégradation de la situation politique en Guinée et condamne vivement la suspension effective des droits individuels et des libertés fondamentales suite à la déclaration de l'état de siège dans le pays. Elle déplore les pertes de vies humaines à la suite des violentes actions des forces de l'ordre, la violation continuée des droits de l'homme et la suppression de toute liberté. Elle déplore également les mesures répressives mises en œuvre contre les radios privées et regrette que celles-ci aient été pillées, leur personnel arrêté et elles-mêmes forcées de suspendre leurs émissions.

Le Commissaire européen au Développement et à l'Aide humanitaire, Louis Michel, a "regretté le refus des autorités guinéennes d'écouter les nombreux appels à la modération et au dialogue, ainsi que l'éloignement progressif du pays par rapport à la communauté internationale". Il a également "déploré la perte de vies humaines et le manque de respect des droits de l'Homme et des principes de l'Etat de Droit, éléments essentiels de l'Accord de Cotonou dont la Guinée est signataire".

La Commission européenne appelle au respect des engagements qui avaient mené au mois de janvier à la suspension de la grève générale et à la relance du dialogue entre les parties prenantes guinéennes. La Commission continuera de suivre très attentivement l'évolution des événements et encourage la CEDEAO (Communauté économique des Etats de l'Afrique de l'Ouest) à poursuivre ses efforts dans le sens de promouvoir des solutions pacifiques et consensuelles à la crise en Guinée.

<http://www.europa.eu/rapid/pressReleasesAction.do?reference=IP/07/180&format=HTML&aged=0&language=FR&guiLanguage=en>

## AMERICAS

## ASIA

### India

► **EU Presidency statement on the bombings in northern India** (19/02/2007)

The Presidency of the European Union **condemns in the strongest possible terms the murderous attack on the "Friendship Express" between India and Pakistan which killed and injured so many people in northern India today.** It offers its sincerest condolences to the families of the victims and wishes those injured a swift and complete recovery.

This act of mindless violence in the run-up to Pakistan Foreign Minister Kasuri's visit to India is clearly intended to disrupt the process of rapprochement between Pakistan and India. The Presidency of the European Union calls upon all parties in India and Pakistan to oppose further acts of violence and to resolutely continue down the path of dialogue chosen. Those responsible must be swiftly identified and brought to justice.

[http://www.eu2007.de/en/News/CFSP\\_Statements/February/0219Nordindien.html](http://www.eu2007.de/en/News/CFSP_Statements/February/0219Nordindien.html)

## EUROPE (OUTSIDE OF UE ) AND CIS

## Turkey

### ► Women's rights in Turkey: MEPs say improvements still needed (13/02/2007)

Turkey's legal framework on women's rights "has in general been satisfactory, but its substantive implementation remains flawed", says the European Parliament in its second report on women's role in social, economic and political life in Turkey. The report emphasises that respecting human rights, including women's rights, is a condition sine qua non for Turkey's membership of the EU.

The own-initiative report by Emine Bozkurt (PES, NL) and adopted with 522 votes in favour, 15 against and 53 abstentions, which follows up Parliament's July 2005 resolution on women's role in Turkey, highlights key areas of concern. It welcomes the start of active EU accession negotiations with Turkey, but "regrets the slowing down of the reform process in Turkey over the last year and the persistent problem with women's rights" and reiterates Parliament's call for "full and effective implementation of the Community acquis in the field of women's rights, particularly in the poorer regions of the country".

#### **Implementation of legislation**

MEPs urge the Turkish Government to speed up implementation of the new legislation on women's rights so as to ensure that it is absolutely in line with the requirements of the Community acquis and that it is effectively implemented in practice.

Even though MEPs acknowledge that the new Penal Code (in force since 2005) substantially strengthens the basic rights of women, they also note with concern that (unsuccessful) attempts have been made to repeal legislation on women's rights. MEPs also deplore the fact that, in parts of south-east Turkey, girls are not registered at birth. MEPs note that this hampers the fight against forced marriage and "crimes in the name of honour", since the victims have no official identity, and they urge the Turkish authorities to continue taking all necessary measures to ensure that all Turkish children are registered at birth.

#### **Availability of data**

MEPs note that there is still a lack of accurate data on the situation of women in Turkey and that existing data do not yet cover all problems relating to the situation, role and rights of women. In that respect they welcome the initiative launched at the beginning of 2007 by the Turkish State Institute of Statistics to provide 'gender statistics' relating to social, cultural and economic life, including data on the gender pay gap.

#### **Tackle violence against women**

The report condemns "instances of violence against women, including honour killings, domestic violence, forced marriage and polygamy". It calls on the Turkish Government and the Commission to tackle "violence in general and honour crime in particular" as a priority and to set up special high-security shelters. The report also "stresses the importance of systematic investigation and effective punishment" and therefore the training of police and judicial authorities in gender equality issues and the fight against violence. MEPs call on Turkish institutions to build alliances with all groupings - civil, social or religious in society so as to initiate awareness-raising campaigns against violence against women and children.

#### **Women in politics**

The report notes that the political participation by women in Turkey is too low and that there is an absolute need for female role models in positions of power and decision-making. MEPs point out that discrimination against women can sometimes best be remedied by temporary positive discrimination measures. MEPs also urge the political parties in Turkey, starting from the upcoming elections in 2007, to include more female candidates on election lists.

#### **Gender equality in access to education and labour market**

Parliament expresses concern about the Commission's observation that women remain vulnerable to discriminatory practices in Turkey, due inter alia to a lack of education and a high illiteracy rate. UNICEF estimates that each year between 600,000 and 800,000 girls are either prevented by their families from going to school or do not attend it because of logistical difficulties. MEPs therefore call on the Turkish government to ensure gender equality in access to education and the labour market, especially in the south-eastern regions. The female employment rate in Turkey is just under 25%, compared to the average women's employment rate in EU-25 of 55%. Lastly, MEPs note that they intend to evaluate the progress in the field of women's rights in Turkey on a regular basis in addition to the yearly progress report of the Commission.

[http://www.europarl.europa.eu/news/expert/infopress\\_page/014-3006-043-02-07-902-20070208IPR02887-12-02-2007-2007-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/014-3006-043-02-07-902-20070208IPR02887-12-02-2007-2007-false/default_en.htm)

### **Turkmenistan**

#### **► Declaration by the Presidency on behalf of the EU on the Presidential Elections in Turkmenistan (16/02/2007)**

The European Union continues to follow developments in Turkmenistan with great interest.

**The European Union hopes that the recent presidential elections in Turkmenistan will pave the way for internal reforms, in particular in the fields of human rights and democracy.** The European Union notes that the new President announced a number of reforms in his inaugural speech.

The European Union and Turkmenistan are committed to common values through their membership in the United Nations and the OSCE. The European Union is ready to strengthen cooperation on the implementation of UN and OSCE agreements and resolutions. The European Union is willing to support Turkmenistan as a stable, independent country and to assist the new government in implementing democratic values and market economy principles.

Against this background, **the European Union is ready to engage in political dialogue with the new Government of Turkmenistan, in order to assist Turkmenistan in implementing reforms, in particular in the fields of human rights, democracy and rule of law.**

The European Union calls upon the new President of Turkmenistan to free political prisoners and to guarantee adherence to internationally accepted human rights standards. The European Union would like to hear more about the development plans of the new government of Turkmenistan and how the European Union could best assist reforms.

[http://www.eu2007.de/en/News/CFSP\\_Statements/February/0216Turkmenistan.html](http://www.eu2007.de/en/News/CFSP_Statements/February/0216Turkmenistan.html)

### **Southern Caucasus**

#### **► Visit of the Federal Foreign Minister to the Southern Caucasus (19/02/2007)**

On Sunday (18 February) Federal Foreign Minister Frank-Walter Steinmeier left on a tour of the Southern Caucasus. **This region is an important focus of the efforts to further develop the European Neighbourhood Policy, one of the foreign policy priorities of the German EU Council Presidency.** In 2004, due not least to Germany's initiative, all three countries in the region – Azerbaijan, Georgia and Armenia – became partners in the European Neighbourhood Policy (ENP). On 14 November 2006 ENP Action Plans with these three countries were adopted with the aim of helping them move closer to European standards.

(...)

[http://www.eu2007.de/en/News/Press\\_Releases/February/0219AAKaukasus.html](http://www.eu2007.de/en/News/Press_Releases/February/0219AAKaukasus.html)

## Lebanon

### ► EU Presidency statement on the bomb blasts in Lebanon (13/02/2007)

The Presidency of the European Union **condemns in the strongest possible terms the targeted attacks on two buses in Lebanon** which today claimed several lives and left many injured. It offers its heartfelt condolences to the victims' families and good wishes for a speedy recovery to those injured.

On the eve of the second anniversary of the assassination of the former Prime Minister Rafik Hariri, the Presidency of the European Union calls upon all sides in Lebanon to take a determined stand against violence and to do everything they can to prevent the situation from escalating. The political crisis in Lebanon can only be resolved through dialogue while ensuring that democratic processes are observed and the country's democratically legitimated institutions are respected.

[http://www.eu2007.de/en/News/CFSP\\_Statements/February/0213Libanon.html](http://www.eu2007.de/en/News/CFSP_Statements/February/0213Libanon.html)

## Iraq

### ► EP adopts resolution on Humanitarian situation of refugees from Iraq (15/02/2007)

*The European Parliament,*

- having regard to its previous resolutions on the right of refugees to international protection,
  - having regard to its previous resolutions on the situation in Iraq,
  - having regard to the UN Convention Relating to the Status of Refugees of 1951 (the Refugee Convention) and to the UN Protocol Relating to the Status of Refugees of 1967,
  - having regard to the urgent appeal by the UN High Commissioner for Refugees (UNHCR) of 7 February 2007 to increase international support for those countries hosting refugees fleeing Iraq, as well as to the UNHCR Return Advisory and Position on International Protection Needs of Iraqis outside Iraq of 18 December 2006 and to the UNHCR document of 8 January 2007 entitled 'Supplementary Appeal – Iraq Situation Response',
  - having regard to the Guiding Principles of Internal Displacement issued by the UN Secretary General's Special Representative on Internally Displaced Persons on 11 February 1998,
  - having regard to Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted<sup>1</sup> (the Qualification Directive),
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas violence and criminal activities in Iraq include armed robberies, kidnappings for ransom, harassment, the killing of persons involved in the political process or reconstruction activities, ethnic cleansing, sabotage attacks against civilian infrastructure such as electricity or oil pipelines and full-scale attacks involving indiscriminate bombs and/or other explosives against civilians, and whereas, as a result, hundreds of thousands of people are being forcibly displaced within the country and

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<sup>1</sup> OJ L 304, 30.9.2004, p. 12.

abroad, primarily to Jordan and Syria but also to Egypt, Lebanon, Turkey, Iran and further afield, in an upheaval unprecedented in the Middle East,

- B. whereas many groups continue to suffer persecution in Iraq, particularly professionals, women, Iraqis employed by foreign contractors, the UN or other international organisations including non-governmental organisations, and ethnic and religious minorities, such as Christians, Jews and Mandaeans; whereas internally displaced persons (IDPs) are frequently victims of human rights violations originating from ethno-religious differences, or of a political and criminal order; whereas the security of third-country nationals, stateless persons and particularly the approximately 34 000 Palestinian refugees and thousands of refugees from Turkey, Iran and Syria in Iraq has drastically deteriorated,
  - C. whereas **the United Nations estimates that 1,8 million Iraqis are displaced within Iraq and up to 2 million Iraqis have fled the country,**
  - D. whereas **50 000 people try to leave Iraq every month** and whereas **the neighbouring countries have restricted access for refugees to seek asylum**, forcing many to return to Iraq or remain trapped at the borders,
  - E. whereas the refugees receive sparse humanitarian assistance from UNHCR and the International Committee of the Red Cross, but conditions for refugees and other displaced Iraqis are increasingly appalling, with limited supplies of water, food, fuel and medicines, and whereas humanitarian organisations are appealing for adequate funding to respond to the increased needs inside Iraq and in its neighbouring countries,
  - F. whereas several countries hosting Iraqi refugees are restricting entry, as well as imposing restrictive stay requirements, such as reducing the temporary protection regime (TPR) and/or making the renewal of their visas so difficult that most Iraqis quickly lose their legal status,
  - G. whereas the attitude of most Member States to accepting Iraqi refugees has been equally restrictive, with the exception of Sweden,
  - H. whereas, under customary international law, there is a legal obligation not to return refugees to persecution or serious harm, and to allow asylum seekers fleeing widespread human rights abuses and generalised violence to enter the relevant country, at least temporarily, in order to be screened for refugee status,
  - I. whereas Egypt, although not a border country, has been hosting a considerable number of refugees, and whereas Syria, which hosts a high proportion of the Iraqi refugees, no longer recognises the TPR, which was implemented until now without restrictions,
1. **Urges Iraq's bordering countries to abide by their legal duty immediately to admit refugees, particularly those stranded at their borders and belonging to specially targeted minorities such as stateless Palestinians or religious and ethnic minorities;**
  2. Welcomes the recent UNHCR appeal to mobilise additional international support in order to fund its work for uprooted Iraqis within their country and in neighbouring States and for foreign refugees in Iraq; calls on the EU and the Member States and other international donors to respond to the UNHCR appeal in support of the programmes for Iraqi refugees and IDPs in Iraq, Syria, Lebanon, Turkey and Iran, as well as Egypt; considers it as an extreme emergency and urges that a significant part of the EU budget earmarked for programmes with Iraq be allocated for this purpose;



3. Considers that the support of the international community is vital in easing the suffering of hundreds of thousands of Iraqi refugees and IDPs or those fleeing the country, and therefore asks the Commission and the Member States to support the UNHCR's protection efforts focused on minimum protection from detention and *refoulement* and non-penalisation for illegal entry; as well as access to education, adequate housing, basic health care facilities and other basic services for those inside and outside Iraq;
4. Calls on the many donor countries which have been reluctant to face up to a regional Iraqi refugee crisis to take into consideration the fact that the Iraqi authorities and the governments affected in the neighbourhood appear unable to fully cope with the crisis and to reconsider the necessity of providing financial assistance to help those host countries in order to share the burden of this refugee problem by offering third-country resettlement opportunities to those refugees;
5. Welcomes the holding of an international conference on addressing the humanitarian needs of refugees and IDPs inside Iraq and in neighbouring countries in Geneva on 17 April 2007; urges the Council, the Commission, the authorities in the region and the international community to fully participate in that conference and provide appropriate financial support;
6. Asks the Member States and the international community, as a demonstration of international burden-sharing, to contribute to the resettlement of Iraqi refugees and stateless persons, including the Palestinian refugees from Iraq stranded in the region;
7. Calls on Member States, while recognising the efforts deployed by the Swedish Government swiftly and fairly to determine the claims of Iraqi asylum-seekers, in accordance with the above-mentioned UNHCR Return Advisory and Position, and to fulfil their obligations under international and Community law to grant refugee status or subsidiary protection to those who are at risk of persecution or serious harm;
8. Recognises also the efforts made by non-border countries of the region such as Egypt to assist Iraqi refugees; asks this country to pursue its efforts in favour of the Iraqi refugees by keeping its border open and improving conditions for them; asks countries hosting Iraqis to respect their fundamental rights and ensure their access to basic services such as health and education;
9. Recognises the contribution of the regional Kurdish government in assisting Christian communities that are internally displaced;
10. Calls on the Iraqi Government, local regional and religious authorities and the Multi-National Coalition Forces in Iraq to take immediate steps to improve security for all the refugees and IDPs in Iraq and end discriminatory practices;
11. Instructs its President to forward this resolution to the Council, the Commission, the UN High Commissioner for Refugees, the Secretary-General of the Arab League, the Director-General of the Organization of the Islamic Conference, the governments and parliaments of Iraq, Iran, Syria, Jordan, Lebanon, Egypt, Turkey and the member states of the Gulf Cooperation Council, and the Palestinian National Authority.

**THEMATIC :**

<b>FINANCIAL PERSPECTIVES</b>
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## JUSTICE AND HOME AFFAIRS

## EXTERNAL RELATIONS & DEVELOPMENT-RELATED ISSUES

## EU / UN REFORM

## MISCELLANEOUS

### EP President

#### ► Poettering: priority is dialogue for partnership and tolerance (12/02/2007)

**In his keynote inaugural speech, Hans-Gert Poettering, President of the European Parliament outlined his priorities for his two and half year term. The President highlighted the defence of Europe's values – for a citizens' Europe, the implementing reforms – for democracy and the parliamentary system and encouraging a dialogue of cultures – for partnership and tolerance.**

Addressing Chancellor Angela **Merkel**, President-in-Office of the EU Council and Commission President José Manuel **Barroso**, MEPs and all former Presidents of the European Parliament, Mr Poettering said: "Electing a new President every two and a half years has been the tradition of the European Parliament since its first direct elections in June 1979. By historical standards two and a half years is a short time. Let us not forget, however, that one President of the European Parliament lives through five European Council Presidencies – in this case Germany, followed by Portugal, Slovenia, France and the Czech Republic. This makes clear the responsibility borne by our Parliament, particularly at this time when the task of uniting Europe has come a long way, but is not yet complete and indeed, given the current failure of the constitutional process in France and the Netherlands, is still in danger. The European Parliament is aware of this responsibility, so cannot allow itself to be outdone by anybody when it comes to completing this task of unifying our continent!"

The greatest success, Mr Poettering stated, has been overcoming the division of Europe. But shared values have prevailed. The accession to the European Union of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia – and of Cyprus and Malta – on 1 May 2004, and of Bulgaria and Romania on 1 January this year, together with the reunification of Germany on 3 October 1990, remain for him the miracle of this generation. We all have, he said, reason to be extremely happy about this, now as always.

"It is our job to serve the citizens of the European Union. Europeans should be proud of what they have achieved by their labours over the centuries in terms of values, freedom, law and democracy. It has been a long haul. We know that our European roots lie in Greek philosophy, Roman law, the Judeo-Christian heritage, the Enlightenment – in other words, our shared European culture. But there have also been tragic European civil wars, and in the 20th century the totalitarian ideologies, with their disdain for humanity, and then, in 1945, the courage of the founding fathers in following the path of forgiveness and reconciliation, in building a new, better, more peaceful, shared Europe. We should still remember this today, and rediscover the things that are common to us all. The great French European Jacques Delors spoke, in the tradition of Robert Schuman, of the 'European soul'. The great Polish European Władysław Bartoszewski once said:

'Europe means above all else freedom of the individual and human rights – both political and economic'. They were both right

### European Values

European values, Mr Poettering said, have their fundamental roots in the dignity of the individual. In such, there is respect for the other as well as making a commitment and thus building a system based on responsibility and solidarity. In practical political activities, he continued, we should always serve the dignity of the individual, and he encouraged all of us to defend human dignity and human rights throughout the world.

Continuing, he stated

"• We want partnership with a **Russia** that is democratic and capable of action. That is why we expect the Russian authorities to make discernible efforts to ensure that the murderers of Ana Politkovskaya, who did so much for press freedom in her country, receive fitting punishment.

• We shall never forget that without the **United States of America** neither National Socialism nor Soviet communism could have been vanquished. But we also say to our American friends that 'Guantanamo' is not reconcilable with our European principles of the rule of law.

• We protect human life. If anyone, for example the President of a nation with a great history of civilisation, denies the Holocaust, we will counter that claim with determination, in order to ensure that the horror of a new holocaust is not visited upon us.

• We are convinced that the people of Israel and Palestine are linked by their common human dignity. We therefore support equally the right of Israel to exist and the right of the Palestinian people to live in a State of their own.

• We are on the side of those who are fighting peacefully for freedom and democracy. Hence our solidarity with the **Sakharov Prize** winner Alexander Milinkevich and his fellow fighters for a free and democratic Belarus without fear and oppression. The same solidarity goes to our other Sakharov Prize winners, 'Las Damas de Blanco' (The Ladies in White) in Cuba and Aung San Suu Kyi in Burma/Myanmar.

• We defend human dignity and human rights. We, the European Parliament, are utterly convinced that the death penalty is irreconcilable with these. I urge us all, the institutions of the European Union and the Member States, to stand up for the **abolition of the death penalty** in the forum of the United Nations."

• The need for security also includes the task of providing employment and social protection in a rapidly changing world. We cannot make ourselves safe from globalisation. We must construct a cushion by strengthening our competitiveness while retaining the European social model.

• It includes not just talking about the dramatic change in climate, but taking the necessary measures – together with our partners in the world – and enforcing them with determination, before it is too late.

• A common energy supply is one aspect of security.

• Another aspect of security is a common immigration policy that takes as much account of human rights as of the need for integration in our society. We must not allow people to go on dying in the waters of the Mediterranean.

• We cannot find the security we seek in a world that is going up in flames, lives in poverty, is under social pressure, is disordered and in which the natural environment continues to be destroyed.

(...)

[http://www.europarl.europa.eu/news/public/default\\_en.htm](http://www.europarl.europa.eu/news/public/default_en.htm)

## **European Parliament**

### **► CIA activities in Europe: European Parliament adopts final report, requests Council to press Member States for more information (14-02-2007)**

Over one thousand CIA-operated flights used European airspace from 2001 to 2005 and temporary secret detention facilities "may have been located at US military bases" in Europe, says the European Parliament in its final report on illegal CIA activities in Europe, adopted 14 February.

**The report, which deplores the passivity of some Member States in the face of illegal CIA operations, as well as the lack of co-operation from the EU Council of Ministers, was approved by a majority of 382 against 256 with 74 abstentions.**

According to the text -- originally drafted by the Parliament's Temporary Committee on the alleged use of European countries by the CIA for illegal activities (TDIP) -- **European countries have been "turning a blind eye" to flights operated by the CIA which, "on some occasions, were being used for extraordinary rendition or the illegal transportation of detainees."** In some cases, the report goes on to say, "temporary secret detention facilities in European countries may have been located at US military bases". "There may have been a lack of control" over such bases by European host countries, it adds. "Secret detention facilities", it explains, can also include places where somebody is held incommunicado, such as "hotel rooms," as in the case of Khaled El-Masri in Skopje.

With the above in mind, the EP "expects the Council to put pressure on all the governments concerned to give full and thorough information to the Council and the Commission and, where necessary, to start hearings and commission an independent investigation without delay," (the text of the earlier committee report "expected" the Council "to start hearings and commission an independent investigation without delay, as foreseen in Article 7")

### **"Not possible" to "acknowledge or deny" detention centres in Poland**

In an amendment passed with a narrow majority (356 to 323), MEPs noted that, in light of the available "circumstantial evidence", "it is not possible to acknowledge or deny that secret detention centres were based in Poland." However, notes the report, "seven of the fourteen detainees" transferred from a secret detention facility to Guantánamo in September 2006 coincide with those mentioned in a report by ABC News (published in December 2005) listing the identities of twelve top Al Qaeda suspects held in Poland.

Regarding the testimonies gathered during their visit to Poland, MEPs conclude that the investigation carried out by the Polish Parliament was not conducted independently and that statements given to the Committee delegation were "contradictory" and compromised by "confusion about flight logs [...] which were first said not to have been retained, then said to have probably been archived at the airport, and finally to have been sent by the Polish government to the Council of Europe."

As far as Romania is concerned, MEPs concluded that "no definitive evidence has been provided to contradict any of the allegations concerning the running of a secret detention facility on Romanian soil."

## **CIA Flights**

“At least 1245 flights operated by the CIA flew into European airspace or stopped over at European airports between the end of 2001 and the end of 2005” although, as MEPs emphasize, “not all those flights have been used for extraordinary rendition”.

Working documents published by rapporteur Claudio Fava also cite “additional information of the extraordinary renditions analysed by the [TDIP], as well as of the companies linked to the CIA (...) and the European countries in which the CIA made stopovers”. **In their report, MEPs mention up to 21 well-documented cases of extraordinary rendition: rendition victims were transferred through a European country or were residents in a European State at the time of their kidnapping.** With this in mind, the text “calls on the countries of Europe to compensate innocent victims of extraordinary renditions”.

The Parliament rejects extraordinary renditions “as an illegal instrument used by the USA in the fight against terrorism” and condemns the “acceptance and concealing of the practice, on several occasions, by the secret services and governmental authorities of certain European countries”. Members call on the Council and the Member States, therefore, “to issue a clear and forceful declaration calling on the US Administration to put an end to the practice of extraordinary arrests and renditions.”

#### **Use of torture**

**The report notes that the renditions investigated by the committee “in the majority of cases involved incommunicado detention and torture” during interrogations,** as was confirmed by the victims - or their lawyers - who gave testimony to the the Parliament's committee on CIA activities in Europe. According to the testimony of former UK ambassador to Uzbekistan Craig Murray, **the exchange of intelligence obtained under torture by third countries' secret services to the British services was a practice known and tolerated by the UK government** .In light of the available evidence, note members, there is a “strong possibility that some European countries may have received [...] information obtained under torture.”

#### **Reluctance to co-operate**

**MEPs also deplored “the lack of co-operation of many Member States and of the Council of the EU towards the temporary committee”** and explained that “the serious lack of concrete answers to the questions raised by victims, NGOs, media and parliamentarians has only strengthened the validity of already well-documented allegations”. **The Council, they said, initially withheld -- and then provided only partial fragments of -- information pertaining to regular discussions with high-level US officials** (behaviour which the report calls “wholly unacceptable”) (para 23). Such “shortcomings” of the Council, reads the report, “implicate all Member State governments, since they have collective responsibility as members of the Council” As MEPs note later in the text, the Treaty-based “principle of loyal cooperation [...] which binds Member States and EU institutions to take any measures to ensure the fulfilment of the European obligations, such as the respect of human rights, [...] has not been respected.”

The national governments specifically criticised for their unwillingness to cooperate with Parliament's investigations were those of Austria, Italy, Poland, Portugal and the UK. The report also gives detailed evidence of investigations of illegal rendition or CIA flight cases involving Germany, Sweden, Spain, Ireland, Greece, Cyprus, Denmark, Turkey, the Former Yugoslav Republic of Macedonia (FYROM), Bosnia and Romania. Among some of the specific criticisms levelled by the report against European governments are the following:

- certain officials of the Italian military security services (SISMI) played an “active role” in the 2003 abduction of cleric Abu Omar in Milan; General Nicolò Pollari, former Director of the SISMI, “concealed the truth” when he stated “that Italian agents played no part in any CIA kidnapping”; knowledge of the Abu Omar rendition on the part of the Italian government was “very likely”.

- the German Government did not accept the US offer, made in 2002, to release rendition victim Murat Kurnaz from Guantánamo; Mr. Kurnaz was interrogated twice by German officials in Guantánamo on two occasions (para 84, 85); on the other hand, the report reads, the German Parliament's inquiry committee has shown "that there was no involvement of the German authorities in the illegal abduction [of Khaled El-Masri]" (am. 224)

- the Polish government failed to cooperate with the TDIP, "in particular when receiving its delegation at an inappropriate level"; its attitude towards the temporary committee's work was marked by "an overall rejection" (para 165)

- FYROM authorities failed to deliver "a thorough investigation" into the Khaled El-Masri case (para 135); Romanian authorities, meanwhile, showed "reluctance" to thoroughly investigate "the existence of secret detention facilities on its territory" (para 158)

- the international community turned a blind eye when the decisions of the Supreme Court and the Human Rights Chamber of Bosnia and Herzegovina, ordering the release of six Algerian men from custody, failed to be implemented -- action which resulted in their subsequent rendition to Guantanamo.

At the same time, members complained about "the omissions" in statements made by the Council and its Secretary General, Javier Solana, regarding the Council's discussions (on fighting terrorism) with US representatives. Mr. Solana, they add, "was unable to supplement the evidence already in the possession of the temporary committee." The same goes for EU Counter-Terrorism co-ordinator Gijs de Vries who, MEPs concluded, was "unable to give satisfactory answers". With this in mind, MEPs took the view that the competences and powers of the Counter-Terrorism co-ordinator should be strengthened and monitored by the European Parliament.

### **Political recommendations**

With a view to the conclusion of the TDIP's mandate, and acknowledging that Committee's conclusions were not "exhaustive", the final report encourages governments and/or national parliaments to launch (or to pursue) independent investigations. MEPs also instruct the Civil Liberties Committee to follow up the proceedings of the TDIP, to monitor developments and, if necessary, to recommend sanctions under art.7 TEU against those Member States found in breach of EU fundamental rights.

The report also recommends that all European countries should have "specific national laws to regulate and monitor the activities of third countries' secret services on their national territories"; moreover, it advises, over-flight clearances for military and/or police aircraft should be granted "only if accompanied by guarantees that human rights will be respected". In the meantime, a "ban or system of inspections" should be introduced "for all CIA-operated aircraft known or suspected to have been involved in extraordinary rendition".

Lastly, the report **calls for the closure of Guantánamo** and asks European countries "to immediately seek the return of their citizens and residents who are being held illegally by US authorities".

(...)

[http://www.europarl.europa.eu/news/expert/infopress\\_page/019-3030-043-02-07-902-20070209IPR02947-12-02-2007-2007-true/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/019-3030-043-02-07-902-20070209IPR02947-12-02-2007-2007-true/default_en.htm)

**European Parliament**

- ▶ **EP adopts resolution on External dimension of the fight against international terrorism**  
(15/02/07)

*The European Parliament,*

- having regard to the Treaty establishing a Constitution for Europe,
- having regard to Articles 6 and 7 and Title V of the EU Treaty,
- having regard to the Universal Declaration of Human Rights of 10 December 1948,
- having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on 4 November 1950,
- having regard to the European Convention on the Suppression of Terrorism of the Council of Europe, signed in Strasbourg on 27 January 1977,
- having regard to the thirteen United Nations instruments currently in force and to the four instruments adopted in 2005 but not yet in force relating to the prevention and eradication of international terrorism, to Security Council Resolutions 1368 and 1373 (2001) and 1267 (1999) and to General Assembly Resolution A/RES/60/288 of 8 September 2006 on the United Nations Global Counter-Terrorism Strategy and the Plan of Action annexed thereto,
- having regard to UN Security Council Resolution 1267(1999), implemented at EU level by Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taleban<sup>2</sup>,
- having regard to the 2005 UN World Summit Outcome on terrorism (General Assembly Resolution A/RES/60/1),
- having regard to the report of the High-Level Group entitled “Alliance of Civilisations”, presented to the UN Secretary-General on 13 November 2006,
- having regard to the mutual defence clause contained in Article 5 of the Washington Treaty, invoked by the NATO members on 12 September 2001, thereby defining the terrorist attack on the World Trade Centre of 11 September 2001 as an outside attack against the United States,
- having regard to the European Security Strategy (ESS) – “A Secure Europe in a Better World” – approved by the European Council on 12 December 2003, and the EU Strategy Against Proliferation of Weapons of Mass Destruction of the same date,
- having regard to the report entitled “A Human Security Doctrine for Europe – The Barcelona Report of the Study Group on Europe's Security Capabilities”, presented to the EU High Representative for Common Foreign and Security Policy (CFSP) on 15 September 2004,
- having regard to the conclusions of the Brussels European Council of 25 and 26 March 2004, in particular the European Council Declaration on Combating Terrorism of 25 March 2004, which included a solidarity clause,
- having regard to the Plan of Action against Terrorism, approved by the European Council on 21 September 2001, and the Council's revised Action Plan/Roadmap of 15 June 2004, endorsed by the European Council at its meeting on 17 and 18 June 2004,

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<sup>2</sup> OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Regulation (EC) No 14/2007 (OJ L 6, 11.1.2007, p. 6).

- having regard to the European Union Counter-Terrorism Strategy, adopted by the European Council at its meeting of 14 and 15 December 2005, and the European Union Strategy for Combating Radicalisation and Recruitment to Terrorism, adopted by the European Council on the same date,
- having regard to the conclusions of the International Summit on Democracy, Terrorism and Security held in Madrid from 8 to 11 March 2005,
- having regard to the report of the Secretary-General of the United Nations of 27 April 2006 entitled “Uniting Against terrorism: recommendations for a global counter-terrorism strategy” (A/60/825),
- having regard to the report of the United Nations High-level Panel of Eminent Persons on Threats, Challenges and Change, “A more secure world: our shared responsibility”, of 2 December 2004, and the report of the UN Secretary-General of 21 March 2005, prepared for the 2005 reform summit and entitled “In larger freedom: towards development, security and human rights for all”,
- having regard to the Euro-Mediterranean Code of Conduct on Countering Terrorism, adopted at the Euro-Mediterranean Summit of 27 and 28 November 2005 in Barcelona,
- having regard to the EU-USA declarations of 26 June 2004 on the fight against terrorism, of 20 June 2005 on the strengthening of mutual cooperation with regard to non-proliferation and combating terrorism and of 21 June 2006 resulting from the Vienna Summit, and noting with great concern the CIA's secret detention programme the existence of which was confirmed by President Bush on 6 September 2006,
- having regard to the European Union-Russia Road Map for the Common Space of External Security signed on 10 May 2005 on the occasion of the 15th EU-Russia Summit,
- having regard to the recently discovered existence of highly dangerous terrorist organisations in Italy and France,
- having regard to the Joint EU-ASEAN (Association of Southeast Asian Nations) Declaration on Terrorism signed on 27 January 2003 on the occasion of the 14th EU-ASEAN Ministerial Meeting,
- having regard to the Joint EU-OAU (Organization of African Unity) Declaration on Terrorism, signed on 11 October 2001,
- having regard to the Rome Statute of the International Criminal Court (ICC) adopted on 17 July 1998 by the United Nations Diplomatic Conference of Plenipotentiaries,
- having regard to the Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee of 29 November 2005 entitled “The Prevention of and Fight against Terrorist Financing through enhanced national level coordination and greater transparency of the non-profit sector”, including a Recommendation to the Member States (COM(2005)0620) and the Commission's memorandum of 1 December 2005 entitled “Financing of terrorism: new guidelines for Member States on national level coordination structures and vulnerabilities of the non-profit sector” (MEMO/05/460),
- having regard to its Recommendation of 7 June 2005 to the European Council and the Council on the EU anti-terrorism Action Plan<sup>3</sup>,

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<sup>3</sup> OJ C 124 E, 25.5.2006, p. 241.



- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development and the Committee on Civil Liberties, Justice and Home Affairs (A6-0441/2006),
- A. whereas international terrorism (including its ideology) now constitutes one of the greatest threats to security, peace, stability and the democratic values of the international community and in particular a direct threat to European citizens, EU Member States, democracy and the rule of law, values on which the European Union is founded,
- B. conscious of the diverse nature of terrorism, of the organisations which practise it and of the States and non-state agents which sponsor it, finance it and practise it for their own ends; conscious also of the emerging and unpredictable nature of a phenomenon which presupposes an obvious sense of opportunity (particularly in the case of the terrorism practised by radical groups which claim to be defending Islam) and the need for the European Union to pursue a proactive (and not just a reactive) policy in order to combat it,
- C. whereas Europe, from being mainly a platform for logistical support, has turned into a major target of planned attacks,
- D. whereas, pursuant to the ESS, the fight against terrorism constitutes a priority for the European Union and a key element in its external action,
- E. whereas **the pursuit of security beyond the EU's borders should be guided by the principles of the human security doctrine, namely the primacy of human rights, the imperatives of multilateralism, a bottom-up approach based on knowledge of the local situation, a regional focus and the establishment of a clear and legitimate political authority,**
- F. whereas the European Union has its own strategy for combating terrorism which must be integrated in a multilateral strategy and be firmly based **on the unconditional respect of human rights** and of the principles underlying states governed by the rule of law, whereas terrorism constitutes precisely a direct attack on both, and whereas any action outside that framework constitutes a failure of democracy,
- G. whereas terrorism is always criminal and unjustifiable, in any circumstance, wherever and by whomsoever it is practised, and whereas it may never be used in the pursuit of political objectives,
- H. whereas the victims of terrorism are a moral reference point for our societies and for democracy and whereas the public authorities should listen to their voice and ensure that they are taken into account whenever decisions are taken with a view to combating those who made them unwilling protagonists,
- I. whereas terrorist groups exploit extreme poverty, the failure to uphold human rights and constitutional government, collective frustration, the lack of access to training and social exclusion in pursuit of their capture and infiltration strategies,
- J. whereas societies which suffer from high levels of political, social, economic, ethnic, religious and other discrimination and from a lack of democracy and human rights constitute an ideal breeding ground for terrorism,
- K. whereas, in order for terrorism to be fought effectively, a detailed knowledge is required of the terrorist group which is being fought, of that group's ideology and of the social, political, economic and religious context from which it emerges and on which its perpetrators and supporters feed,

- L. whereas specific action should be taken in order to combat each terrorist organisation, in view of the fact that each one has its own objectives, organisation and modus operandi, and whereas, in particular, specific action should be taken against the Al-Qaeda organisation,
- M. whereas the threat of terrorism is not restricted to specific geographic zones and whereas terrorist organisations are to be found both within and outside the Union's borders and have provided ample proof of their ability to carry out attacks and acts of violence in any continent and against various countries simultaneously,
- N. whereas the Member States individually and the European Union and its institutions have already been or may be direct targets of international terrorism,
- O. whereas the painful experiences to date show that no Member State can on its own successfully face terrorism and whereas it is therefore of fundamental importance that there be, first, a common Union policy to combat terrorism, making use of all the instruments and resources at the disposal of states governed by the rule of law and of the Union itself, and, second, effective and democratically controlled international cooperation in the fight against international terrorism,
- P. whereas essential requirements in an effective fight against terrorism are an enhancement of transatlantic cooperation and coordination and full implementation of the 2004 EU-USA Declaration on the fight against terrorism, of the 2005 joint EU-USA Declaration on Enhancing Cooperation in the field of Non-Proliferation and the Fight Against Terrorism, and of the full EU-USA Declaration issued at the Vienna Summit on 21 June 2006,
- Q. whereas the fight against international terrorism calls for a strong linkage between internal and external aspects of security and whereas the EU must aim for a holistic, coherent and cross-pillar approach to this challenge,
- R. aware that the global dimension of terrorism also requires a global response, tackling terrorism in all its dimensions, including the security, political, economic social and cultural aspects,
- S. whereas the European Union is founded on a set of values, as expressed, for instance, in the Copenhagen criteria, and whereas those values should be promoted all over the world as the only way to prevent terrorism in the long term,
- T. aware that the external and internal dimensions of the fight against terrorism are interlinked and inseparable,
- U. whereas prevention, and hence the need for exhaustive consideration of intelligence reports, are basic elements in the fight against terrorism, as evidenced by some of the attacks which have recurred,
- V. whereas in order for the actions of the Union in the fight against terrorism to be effective, close cooperation and an enhanced exchange of information between the institutions of the Union, the Member States and their respective intelligence services, and the Union's specialised agencies (such as Europol and Eurojust) are vital,
- W. whereas the EU Counter-Terrorism Coordinator has an essential role to play and whereas he must be given more powers and resources,
- X. whereas the Union must develop a proactive, rather than merely reactive, prevention, protection and suppression policy to combat international terrorism effectively,

- Y. whereas, in order to be effective, the fight against international terrorism and its ideology must be backed by real conviction and determination within the Union and the Member States and have the backing of an aware and well-informed public,
- Z. whereas the Member States must not delay implementation of all commitments associated with the fight against terrorism, based on counter-terrorism cooperation both within the Union and at the international level,
- AA. convinced that demonising any culture, civilisation or religion in the name of combating terrorism is a mistake which may have counter-productive effects,
- AB. whereas Muslims are themselves among the victims of Islamist terrorism, which is linked in turn to inherent conflicts within the Muslim world and to struggles for power and natural resources, including oil,

***Fundamental principles of the external dimension of the fight against international terrorism***

1. Supports the need for a strategic objective of combating terrorism globally, respecting human rights, with the ultimate aim of achieving a more secure European Union, and allowing its citizens to enjoy a true area of freedom, security and justice; shares the view of the Council that, other forms of terrorism notwithstanding, the most serious threat to Europe at the moment is posed by violent radical groups claiming to defend Islam, such as the criminal Al-Qaeda network and the groups which are affiliated to it or are inspired by its ideology;
2. Emphasises the need for the European Union, its Member States and its partner countries to base their global counter-terrorism strategy on the fundamental principles which also serve to guide the actions of the United Nations, on a constructive and serious dialogue between peoples and nations, as well as between cultures, religions and civilisations, taking account of the respective perceptions and concerns, and on respect for international law;
3. Calls on the Commission and the Member States to ensure that certain groups of people from various diasporas living in Europe are not stigmatised, in particular by supporting policies to combat xenophobia and human rights violations against immigrant and refugee communities, as well as development aid projects undertaken by migrants or migrants' associations;
4. Expresses its regret at the failure of the UN World Summit in 2005 to reach an agreement on a comprehensive definition of terrorism, and stresses the need to arrive at a generally accepted definition of international terrorism; therefore calls on the Council to adopt a common position establishing a definition of terrorism on the basis of Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism<sup>4</sup> and taking into account the definition proposed by the former Secretary-General of the United Nations, Kofi Annan<sup>5</sup>;
5. Stresses the urgent need fully and properly to implement all the political measures adopted at the highest political level in the European Union Counter-Terrorism Strategy, the Action Plan and the Strategy for Combating Radicalisation and Recruitment to Terrorism, so that the ambitious mechanisms and proposals set out in those documents result as soon as possible in specific and

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<sup>4</sup> OJ L 164, 22.6.2002, p. 3.

<sup>5</sup> "In addition to actions already proscribed by existing conventions, any action constitutes terrorism if it is intended to cause death or serious bodily harm to civilians or non-combatants with the purpose of intimidating a population or compelling a Government or an international organization to do or abstain from doing any act." (definition as originally proposed by the High-level Panel on Threats, Challenges and Change in its report of 2 December 2004).

effective practical measures to combat terrorism;

6. Welcomes the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy and its annexed Plan of Action; stresses the need for terrorism in all its forms and manifestations to be combated by all available means, pursuant to the UN Charter as reflected in the Security Council's Resolution 1624 (2005); expresses concern at the delay in the adoption of the global convention on international terrorism; encourages the Institutions of the European Union and the various Member States to continue working unstintingly to achieve an international consensus permitting, on the one hand, the adoption of the global convention and, on the other, the effective implementation of the measures set out in the said Strategy and Plan of Action;
7. Regrets the fact that, despite evidence of the terrorist threat, some Member States have not yet signed and/or ratified some of the 17 United Nations universal instruments on combating terrorism; notes that as yet only two countries have ratified 13 conventions and 78 other countries have ratified or acceded to 12 of them; considers it particularly worrying, however, that 33 other countries have ratified or acceded to only 6 or fewer such international conventions;
8. Calls on those Member States of the European Union and their partners which have not already done so to adopt swiftly the national legislation necessary for the effective implementation of those conventions and to inform the relevant bodies of the United Nations thereof in good time;
9. Recommends that, in its external actions, the European Union should make use of appropriate means in order to encourage countries to become parties to all universal instruments against terrorism and to enact, as appropriate, the domestic legislation necessary to implement the provisions of those conventions and protocols, also benefiting from the UN's technical expertise;
10. Emphasises that the European Union's external actions to combat international terrorism should in the first place be aimed at prevention, in order to ensure that radical or extremist groups, and also States, do not resort to terrorism and do not support it as a strategy in the pursuit of their objectives; urges the Member States to acquire greater institutional capacity for combating terrorism; considers that in broad terms the objectives relating to prevention set out in the European Union Counter-Terrorism Strategy are in keeping with that objective;
11. Calls on the EU to ensure that measures taken with a view to fighting terrorism do not lead to curbs on the ability of the media in countries in the South to deal in an independent way with issues relating to the rights of poor, vulnerable people and to publish information that is essential when it comes to determining the specific aid to be provided to those countries;
12. Calls on the countries with which the EU has commenced accession negotiations or which have expressed their intention of joining the EU to take immediate measures to disband nationalistic and fanatical organisations which are directly opposed to the democratic principles of the Union and which stir up animosities and racial hatred;
13. Reiterates the need at all times to drive home the message that terrorism is unacceptable and unjustifiable by all state and non-state actors in all circumstances and in all cultures, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify it, and to eliminate all factors which may be exploited by terrorists, such as the dehumanisation of victims, the outbreak and persistence of violent conflicts, bad governance, the lack of civil rights and violation of human rights, religious and ethnic discrimination, political exclusion and socio-economic marginalisation;
14. Considers it likewise fundamental that the European Union's external actions to combat international

terrorism, while complying with the relevant case law of the Court of Justice of the European Communities and the European Court of Human Rights, should aim to prevent terrorists from gaining access to the means for carrying out their attacks, for example by depriving them of the opportunity to travel, to gain access to means of communication and to proselytise, to use the Internet for their purposes, to receive financial support, to engage in money laundering, to gain access to arms, be they conventional, nuclear, biological, chemical or radiological, and to easily attain their objectives and achieve their aims;

15. Considers that the protective measures included in the European Union Counter-Terrorism Strategy are in line with this objective but that their actual effectiveness varies greatly and that there are various other options in terms of the Union's external action;
16. Reiterates the need to fight against flows of illicit capital and money laundering within the Union (through the implementation by December 2007 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing<sup>6</sup>) and elsewhere, and to exercise effective control over various Islamic charities;
17. Notes that Member States have an obligation to exercise vigilance and recommends that determined use be made of the instruments at the disposal of the Union in its external actions in order to make countries which support terrorist groups and which organise, finance, encourage or support terrorist activities by any other means desist from doing so, if necessary through the imposition of sanctions or through coercive measures;
18. Supports unreservedly the development of the capacity of States to prevent terrorism through the promotion of the rule of law, respect for human rights and the establishment of effective criminal justice systems as well as through the promotion of high-quality education and religious and cultural tolerance; to that end, urges all the States within the international community to ensure that incitement to commit terrorist acts is banned by law and to prevent such conduct, as called for in the United Nations Global Counter-Terrorism Strategy of 8 September 2006;
19. Considers that the development of a preventative capacity also requires States to directly oppose the financing of terrorist organisations by practical means, to seek to ensure that transport is safe (as stipulated in the European Programme for Critical Infrastructure Protection (EPCIP) (COM(2004)0702)), to make use of the possibilities offered by the Internet to combat terrorism, to improve the protection of potential terrorist targets and the capacity to respond to attacks, and to improve their capacity to prevent terrorists from acquiring conventional weapons or nuclear, biologic, chemical or radiological materials;
20. **Emphasises the need to continue defending human rights and fundamental freedoms in the fight against terrorism by means of the international instruments available, taking account of the fact that human rights are a universal value and an integral part of European external action but also of the fact that their violation clearly jeopardises the fight against terrorism and constitutes a failure of democracy; considers, therefore, that the only effective instruments employed in the fight against international terrorism are legal means and that all activities that escape independent international scrutiny, such as extraordinary renditions or prisons that operate outside the international legal framework, should be prohibited under international law;**
21. Considers it fundamental to have sufficient human and budgetary resources available to combat terrorism; supports the various proposals of the Commission in this regard; proposes that, in the

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<sup>6</sup> OJ L 309, 25.11.2005, p. 15.

event of a European Security and Defence Policy (ESDP) operation to combat terrorism, the cost of the common expenditure be charged to the budget of the European Union; supports the setting-up of an international fund to provide economic assistance to States with fewer resources in order that they may successfully assume their responsibilities in the fight against terrorism;

22. Considers that including financial support for a range of activities connected with preventing and fighting terrorism in ODA can only further undermine the concept of official development assistance and its primary aim, namely to eliminate poverty;
23. Stresses that any EU programme designed to foster cooperation on counter-terrorism, surveillance technology and exchanges of information should include a financial clause setting aside part of the budget for fundamental rights issues as well as for a subsequent independent impact assessment;
24. Strongly stresses to the Member States that nothing can justify diverting aid away from countries that are devoting themselves to reducing poverty and achieving the MDGs and towards countries directly involved in the war on terror;
25. Stresses that additional financial resources released via the implementation of innovative financial instruments cannot replace commitments already entered into in terms of ODA, and considers that, when those new resources become available, they should not be used to finance measures to prevent or fight terrorism at the expense of measures for fighting poverty, into which it is essential that the new resources be channelled;
26. Draws attention to the fact the development of a common approach to the management of the European Union's external frontiers could constitute one element of the fight against terrorism, and consequently is concerned that the technical equipment at the disposal of the authorities responsible for controlling the borders is not of a uniformly high standard;
27. Underlines the crucial role played by civil society and NGOs in the promotion of cross- cultural and inter-religious understanding through constructive dialogue;
28. Considers that it is essential to develop intercultural dialogue and other confidence-building measures within and outside the EU, the first requirement being to reach a common understanding of the concept of "intercultural dialogue" inside the EU; also considers it essential to examine the contributory factors leading to the radicalisation and recruitment of Muslims inside and outside Europe;

#### ***Means available to the European Union in the area of its external action to combat terrorism***

29. Emphasises the many-faceted nature of the responses available to the European Union in the area of external action to combat terrorism and the need for Member States to bring together and use in a coherent manner their political, preventive and suppressive instruments involving police and judicial cooperation, intelligence and communication, and all other types of responses called for and endorsed by the United Nations and forming part of a multilateral strategy;
30. Draws attention to the recommendations contained in its resolution of 28 September 2006<sup>7</sup>, and stresses in particular that if, with a view to implementing development cooperation, a large number of objectives are pursued that are only indirectly linked, or not linked at all, to the strategy laid down in the European Consensus on Development and the achievement of the Millennium Development Goals (MDGs) (for which the UN believes additional annual aid of USD 50 billion is needed), it will become significantly more difficult to take effective action against poverty;

<sup>7</sup>

*Texts Adopted*, P6\_TA(2006)0382.

31. Calls on the Commission and the Member States to pursue an anti-terrorism policy that is careful not to undermine the contribution made by European development cooperation to drawing up and implementing strategies aimed at effectively combating poverty and at preventing – increasingly prolonged – violent conflicts, particularly in Africa;
32. Stresses that the response adopted by the EU in the face of terrorism must be proportionate and properly targeted on the fight against terrorism, bearing in mind that, until proved otherwise, the most productive measures in the fight against new forms of terrorism are effective intelligence and police services, in other words activities which, however legitimate, do not come within development cooperation policy or the fight against poverty;
33. Reiterates, therefore, its proposal to render the Union's anti-terrorist policy more coherent and effective in its relations with third countries through:
  - (a) the enhancement of political dialogue in this regard, in particular with those countries with which the European Union and/or its Member States have concluded or are negotiating Association or Cooperation Agreements;
  - (b) political and commercial support and development aid to moderate Islamic countries, relating both to the fight against terrorism and to the political, economic and social reforms implemented in those countries;
  - (c) a stepping-up of the dialogue on and cooperation in the fight against terrorism with the major partners of the Union (Israel, Japan, Australia, Canada, Russia, etc.) and, in particular, the United States, which is in the front line in the fight against terrorism, without affecting under any circumstances the level of protection afforded to human rights;
  - (d) the promotion of international consensus for the adoption of the Global Convention on International Terrorism and the development of the United Nations Global Counter-Terrorism Strategy of 8 September 2006, including a common definition of terrorism;
  - (e) the requirement that all third countries with which the Union maintains relations sign and ratify the 17 United Nations universal instruments on combating terrorism, as well as the optional Protocol to the UN Convention against Torture or Other Cruel, Inhumane or Degrading Treatment or Punishment;
  - (f) the strict implementation of the anti-terrorism clause as well as application of the human rights clause included in agreements with third countries, without any "ad hoc" modifications which detract from their substance;
  - (g) the suspension of political and trade relations with States which persistently fail to comply with their obligations to provide information to the Counter-Terrorism Committee of the United Nations;
  - (h) the establishment of an interinstitutional Code of Conduct for external relations of the Union as proposed by the European Parliament in its resolution of 25 April 2002 on the Communication from the Commission to the Council and the European Parliament on the European Union's role in promoting human rights and democratisation in third countries<sup>8</sup>;
  - (i) the strengthening of cooperation with international and regional organisations playing a key

role in peacekeeping and global security, first and foremost the United Nations (in particular the Security Council and its Counter-Terrorism Committee and the United Nations Office on Drugs and Crime) the OSCE, the Council of Europe and NATO;

- (j) the promotion and strict implementation of United Nations Security Council Resolution 1540 (2004), with the aim of preventing non-state actors and States which are not party to the Nuclear Non-Proliferation Treaty from acquiring nuclear, chemical or biological weapons, in pursuit of the EU strategy against the proliferation of weapons of mass destruction, support for and the development of new initiatives on nuclear disarmament and the revitalisation of the UN Conference on Disarmament;
  - (k) the stepping-up of cooperation as regards the exchange of information and cooperation between security and intelligence services including military intelligence, and police, judicial and customs authorities of the Member States, including with the Joint Situation Centre (SitCen), the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), Europol, Interpol and Eurojust and the various competent authorities at European level, the Counter-Terrorism Coordinator, Gijs de Vries and the Commissioner with responsibility for justice, freedom and security, Franco Frattini; the enhancing of security protocols and interoperability, by keeping the activities of intelligence and law-enforcement agencies strictly separate as stipulated in numerous national constitutions and on the condition that parliamentary and judicial scrutiny are provided;
  - (l) the organisation of regular meetings (held at least once a year) to be attended by the relevant ministers from the Member States, by the Commissioner responsible for freedom, security and justice, by the EU Counter-Terrorism Coordinator and by the heads of Europol, Eurojust, SitCen and Frontex, and to be devoted solely to the topic of combating international terrorism;
  - (m) the promotion of a global consensus about the need to put an end to off-shore banking and other forms of opaque fiscal paradises used by terrorists to conceal their financial transactions;
  - (n) the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, and the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;
  - (o) the strengthening of counter-terrorist military forces through training and other measures;
  - (p) an increase in Europol's powers in order to ensure that the role it plays in the fight against terrorism is an effective one;
  - (q) the enhancement of cooperation with the United States as regards exchanges of information and cooperation between security and intelligence services as well as police, judicial and customs authorities;
  - (r) the enhancement of cooperation between Member States' special forces and those of third countries;
34. Commends the various initiatives to promote dialogue, tolerance and understanding among different cultures, civilisations and religions; regards the idea of creating a "Euro-Med citizenship" as an example of a broad and concrete initiative that can help bring forward views of the region's common



future;

35. **Emphasises the need for greater cooperation and coordination with the United States in the fight against international terrorism, while stressing the need to protect the fundamental principles of human rights;**
36. Emphasises the need for an increase in the powers and the resources available to the EU Counter-Terrorism Coordinator (with particular reference to the inadequate resources made available to him), so that his work can have a greater impact and assume a higher profile;
37. Calls on the Commission and the Council, in their external relations, to insist on the signature and the ratification of the Rome Statute and, consequently, on the universal recognition by all third countries of the binding nature of the jurisdiction of the International Criminal Court;
38. Calls on the Council, the Commission and the governments of the Member States to take effective practical action to bring about the proscription of terrorist organisations;
39. Considers it essential to encourage greater stability outside the Union through the use of all available instruments, programmes and means in the ambit of external action, including:
  - (a) the new Instrument for Stability established by Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006<sup>9</sup>, which provides a new legal basis for long-term aid in such areas as the fight against terrorism, the non-proliferation of weapons of mass destruction, the fight against organised crime, conventional disarmament and human security; recalls the declaration by the Commission on anti-terror measures, annexed to the Instrument for Stability, in which the Commission undertakes that all anti-terrorism measures financed under that instrument will respect human rights obligations and related humanitarian law and that the Commission will monitor compliance with that principle by the recipient countries;
  - (b) the support, once the said Instrument enters into force, of the aid strategy designed by the Commission to help third countries face the terrorist threat through both the European Neighbourhood and Partnership Instrument (ENPI) established by Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006<sup>10</sup> and the Instrument for Stability, and through the mainstreaming of counter-terrorist assistance into all its assistance programmes as requested by the European Council;
  - (c) the extension of the said aid strategy to all areas of the Union's external action and to all the major development aid programmes except for those relating to humanitarian aid, which are by their very nature unconditional;
  - (d) the strengthening of the use of the Civilian and Military Rapid Reaction Mechanism;
  - (e) the Council and the Commission ensuring that attention for the victims of terrorism becomes a cornerstone of the Union's policy in this field, thus ensuring full regard for them so that they are listened to, kept informed and given every assistance;
  - (f) the creation of a similar office in the context of the new United Nations Counter-Terrorism Strategy of 8 September 2006, aimed at providing assistance to all victims of terrorism regardless of their citizenship;

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<sup>9</sup> OJ L 327, 24.11.2006, p. 1.

<sup>10</sup> OJ L 310, 9.11.2006, p. 1.

40. Calls on the Commission to present as soon as possible a communication setting out the existing assistance mechanisms and programmes to reduce and face up to the threats to the security of the Union and its citizens, including in particular proposals and recommendations to improve the effectiveness and coherence of the Union's assistance programmes;
41. Calls on Member States to contribute more to an integrated EU-wide threat assessment by increasing the flow of information to SitCen in the Secretariat of the Council of the EU; calls on Member States to increase staff and resources at the disposal of the Situation Centre and to make increasing use of its combined terrorism assessments, which include information on external threats and information from internal security services and Europol;
42. Recommends the adoption of measures leading to establishment of a new configuration for meetings of the Council, involving the participation of Foreign Ministers and Interior Ministers when dealing with the fight against terrorism;
43. Recommends implementation of the provisions of the EU Treaty concerning the ESDP applied to the fight against terrorism and also of the Declaration on Combating Terrorism of 25 March 2004, the Plan of Action adopted by the European Council on 21 September 2001 and the Counter-Terrorism Strategy of 14 and 15 December 2005, through the adoption of measures such as:
  - (a) the joint elaboration of contingency plans to render effective the mutual-assistance solidarity clause in the Declaration on Combating Terrorism;
  - (b) recourse, where necessary, to specific police and/or military operations under the ESDP as part of the Union's response to terrorism;
  - (c) the adaptation to the new tasks of the permanent structured cooperation and the combat units provided for in Protocol 23 to the Treaty establishing a Constitution for Europe;
  - (d) derogation from the unanimity rule in certain areas of police and judicial cooperation in criminal matters;

***Parliamentary control of the fight against international terrorism by the Institutions of the Union***

44. Highlights the vital importance of prevention in the fight against international terrorism and the need to share in real time with the other Member States and Institutions of the Union all information obtained through reliable and efficient information systems and for a rigorous and professional assessment of the reports drawn up by the various police and intelligence services;
45. Asks the Council for the Interinstitutional Agreement of 20 November 2002 between the European Parliament and the Council concerning access by the European Parliament to sensitive information of the Council in the field of security and defence policy<sup>11</sup> to be reviewed and brought up-to-date in order to improve the current system for the transmission of classified information and to guarantee the transmission to the European Parliament of all available information relating to the fight against international terrorism, without its being under any circumstances denied information which, in the internal sphere, has been or should be transmitted to national parliaments by the respective governments of the Member States or the international organisations of which they form part;
46. Calls on the Council not to limit itself in its annual report on the CFSP to describing the activities of the Union in the area of the fight against terrorism, but rather, on the basis of Article 21 of the Treaty

<sup>11</sup>

OJ C 298, 30.11.2002, p. 1.

on European Union, to really consult the European Parliament as regards the principal aspects and basic options of that fight, which constitutes a priority under the ESS, the Union's external action and the CFSP as a whole; considers it indispensable that it be informed and consulted in the event of a large-scale terrorist attack, where necessary through the Special Committee provided for in the above-mentioned Interinstitutional Agreement of 20 November 2002;

47. Considers the High Level Political Dialogue on Counter-Terrorism, which brings the European Parliament, the Council and the Commission together on a six-monthly basis, to be a good example of the possibilities available for the indispensable interinstitutional cooperation needed in the fight against terrorism; proposes that such meetings be held at least on a quarterly basis and that the European Parliament Delegation also include the chairmen of the permanent committees on the three main areas of external action (foreign affairs, international trade and development cooperation);
48. Asks for the reports drawn up by SitCen for the Council of the Union to be transmitted regularly to the European Parliament, if necessary pursuant to the modalities provided for in the above-mentioned Interinstitutional Agreement;
49. Considers it of fundamental importance that the European Parliament be closely involved in the mechanism for implementing the solidarity clause (the introduction of which was approved in the Declaration on Combating Terrorism), essentially in cases where the decisions adopted have implications as regards the ESDP;
50. Calls on the Commission and on the European Counter-Terrorism Coordinator to submit an annual report to the European Parliament on their activities in the fight against terrorism and to take due account of Parliament's observations and recommendations in that regard;
51. Calls on the Council anew to inform Parliament on the regular updating of Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism<sup>12</sup> (list of terrorist organisations and groups) and on developments since 2001;
52. Pledges to establish an enhanced dialogue with the national parliaments on the fight against terrorism with a view to guaranteeing joint parliamentary control of the activities of the various security and intelligence services, given that, in its capacity as representative of the peoples of the European Union, it is incumbent upon the European Parliament to exercise public and transparent control over the measures adopted by the Union in relation to the fight against terrorism, including the activities of the European Counter-Terrorism Coordinator and of the various bodies dedicated to that task;
53. Instructs its President to forward this resolution to the European Council, the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the United Nations and its specialised agencies

## **Council**

► The Council adopted a Regulation establishing the EU Agency for Fundamental Rights (16241/06). (15/02/07)

In December 2003, the European Council agreed to extend the mandate of the European Monitoring Centre on Racism and Xenophobia, established by Regulation (EC) No 1035/97, and transform this Centre into the EU Agency for Fundamental Rights. The seat of the Agency will remain in Vienna (Austria).

<sup>12</sup>

OJ L 344, 28.12.2001, p. 93.

**The objective of the Agency will be to provide the relevant institutions, bodies, offices and agencies of the Community and its Member States implementing Community law with assistance and expertise relating to fundamental rights in order to support them when they take measures or formulate courses of action within their respective spheres of competence to fully respect fundamental rights.**

The Agency will collect objective, reliable and comparable information on the development of the situation of fundamental rights, analyse this information in terms of causes of failure to respect, consequences and effects and examine examples of good practice in dealing with these matters.

The Agency will have the right to formulate opinions to the Union institutions and to the Member States when implementing Community law, either on its own initiative or at the request of the European Parliament, the Council or the Commission, without interference with the legislative and judicial procedures established in the Treaty. Nevertheless, the institutions should be able to request opinions on their legislative proposals or positions adopted in the course of legislative procedures as far as their compatibility with fundamental rights is concerned.

In addition, it will present an annual report on fundamental rights issues covered by the areas of the Agency's activity, also highlighting examples of good practice. Furthermore, the Agency will produce thematic reports on topics of particular importance to the Union's policies.

The Agency will take measures to raise the awareness of the general public about their fundamental rights, and about possibilities and different mechanisms for enforcing them in general, without, however, dealing with individual complaints itself.

The Regulation repeals Regulation (EC) No 1035/97 with effect from 1 March 2007. The Agency will become operational by 1 March 2007.

[http://www.consilium.europa.eu/cms3\\_applications/applications/newsRoom/loadBook.asp?BID=86&LANG=1&cmsid=352](http://www.consilium.europa.eu/cms3_applications/applications/newsRoom/loadBook.asp?BID=86&LANG=1&cmsid=352)