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## **REGIONS:**

### **AFRICA**

#### **Zimbabwe**

- ▶ **EU Presidency statement on the violent break-up of a peaceful rally in Zimbabwe**  
(12/03/2007)

The Presidency of the European Union condemns the violent break-up of a peaceful, church sponsored rally (a so called Prayer Meeting) of the Save Zimbabwe Campaign, during which one participant was killed, one was injured and many, including the opposition leaders Morgan Tsvangirai and Artur Mutambara, were arrested and in some cases abused. The Presidency expresses its condolences to the family of the participant killed.

The Presidency has noted with concern that a peaceful rally of which prior notification had been given was criminalized by the Government. The Presidency urges the release of the persons arrested. It expects them to be given access to legal assistance and any medical care they may require. The Presidency underlines the responsibility of the Zimbabwean Government to ensure that those arrested are safe and remain unharmed.

The Presidency condemns the ongoing violent suppression of the freedom of opinion and of assembly, as well as of other fundamental rights, and calls upon the Government to focus on resolving Zimbabwe's pressing political, economic and social problems in a dialogue with all of the country's political forces.

[http://www.eu2007.de/en/News/CFSP\\_Statements/March/0312Simbabwe.html](http://www.eu2007.de/en/News/CFSP_Statements/March/0312Simbabwe.html)

#### **Zimbabwe**

- ▶ **EU Presidency statement: Presidency demands release of detainees in Zimbabwe**  
(14/03/2007)

The Presidency of the European Union has noted the release of 14 members of the opposition and is calling for the immediate release of the other participants in a church sponsored rally (a so called Prayer Meeting) of the Save Zimbabwe Campaign arrested on Sunday (11 March). It was deeply concerned to learn of the serious injuries suffered by the opposition leaders as a result of maltreatment.

The Presidency emphasizes once more the Zimbabwean Government's responsibility for the safety and well-being of those arrested. The Presidency will continue to observe events in Zimbabwe with interest.

[http://www.eu2007.de/en/News/CFSP\\_Statements/March/0314Simbabwe.html](http://www.eu2007.de/en/News/CFSP_Statements/March/0314Simbabwe.html)

#### **Zimbabwe**

► **EU Presidency statement on the arrest and ill-treatment of opposition politicians in Zimbabwe** (18/03/2007)

The EU Presidency was outraged and deeply concerned by the news of the arrest and brutal treatment of the opposition MP Nelson Chamisa (MDC) on 18 March. Mr Chamisa was on his way to Brussels to attend a meeting of parliamentarians from ACP and EU countries. He is now lying in a critical condition in a Harare hospital under police guard.

The MDC executive members Sekai Holland and Grace Kwinjeh, who were detained temporarily and mistreated by the police last week, were arrested again yesterday (Saturday) without being charged and prevented from travelling to South Africa for medical treatment. The opposition MP Arthur Mutambara was also arrested once more.

The Presidency welcomes the statements issued by John Kufuor, President of the African Union, and Bishop Tutu, who both protested against these incidents.

The Presidency condemns these actions by the security forces in the strongest possible terms and calls on the Zimbabwean Government to release all detained opposition politicians immediately, to enable them to have access to legal assistance and medical care, and to allow representatives of the EU Presidency to visit the detainees. It appeals to the Government to respect the rule of law and human rights and to refrain from doing anything which might lead to a further escalation of the situation in Zimbabwe

[http://www.eu2007.de/en/News/CFSP\\_Statements/March/0318Simbabwe.html](http://www.eu2007.de/en/News/CFSP_Statements/March/0318Simbabwe.html)

## Senegal

► **EU Presidency Statement on the Presidential Elections in Senegal** (15/03/2007)

The Constitutional Council of the Republic of Senegal having confirmed on 11 March the results of the presidential elections, the Presidency of the EU notes with satisfaction the peaceful atmosphere in which the elections took place and congratulates President Abdoulaye Wade on his re-election.

The Presidency of the EU congratulates the people of Senegal on the remarkably high voter participation and the active engagement in support of democracy expressed thereby.

The Presidency of the EU welcomes the successful conduct of the elections as yet another manifestation of Senegal's long-standing democratic tradition.

[http://www.eu2007.de/en/News/CFSP\\_Statements/March/0315Senegal.html](http://www.eu2007.de/en/News/CFSP_Statements/March/0315Senegal.html)

## Nigeria

► **Nigeria urged to tackle abuses ahead of elections** (15/03/2007)

Looking ahead to the elections in Nigeria in April, **the European Parliament voted, by 36 votes to 24 with 1 abstention, for a resolution put forward by the EPP-ED group condemning a wide range of human rights and democracy abuses in that country.** This replaced a joint draft resolution, supported by several political groups, which focused on the single issue of a draft law in Nigeria seeking to ban same-sex marriage and criminalise homosexual activity.

*Need for government to tackle human rights violations*

In the adopted resolution the European Parliament "calls on the Nigerian Government to take immediate and effective measures to protect its citizens, put an end to the violence, the widespread corruption and the impunity for the perpetrators of human rights violations, and actively promote respect for human rights".

It also calls on the Government **"to abolish the death penalty and to intervene in individual cases of persons tried under Sharia law** and sentenced to death, amputation, flogging or other inhuman and degrading treatment that violates the Nigerian Constitution as well as international human rights law".

MEPs welcome "the multilateral agreement among 26 western and central African countries against trafficking in women and children, as well as other efforts made in this domain by the Nigerian authorities". However, they call on the Government "to take further measures in this area as well as in **tackling the exploitation of children through child labour**".

*Call for clean elections*

The EP argues that past state and national elections in 1999 and 2003 "could not be considered as free and fair due to widespread fraud and violence". Therefore all stakeholders in the forthcoming national elections in April are called upon "to publicly declare their commitment to ending political violence, killings, intimidations and other human rights abuses as well as impunity for such crimes".

The Nigerian Government is also pressed "to address pre-election concerns regarding limitations on the independence of the Independent National Electoral Commission (INEC), abusive conduct and harassment by security forces, and any other obstacle to freedom of expression and opinion and other basic requirements for free and fair elections";

*No to ban on gay marriage*

Lastly, turning to the topic on which the non-adopted joint draft resolution had focused, MEPs call on the Nigerian Parliament **"not to adopt the 'Same Sex Marriage (Prohibition) Act' in its current form, since it contains infringements of the basic human rights of freedom of expression and opinion, in particular when it envisages a five-year prison sentence for anyone involved publicly or privately in positive representation of or advocacy for same sex relationships"**.

[http://www.europarl.europa.eu/news/expert/infopress\\_page/015-4064-071-03-11-902-20070309IPR04022-12-03-2007-2007-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/015-4064-071-03-11-902-20070309IPR04022-12-03-2007-2007-false/default_en.htm)

**Résolution du Parlement européen du 15 mars 2007 sur le Nigeria**

Le Parlement européen ,

— vu ses résolutions antérieures sur la situation au Nigeria,

- vu les instruments internationaux en matière de droits de l'homme ratifiés par le Nigeria,
- vu l'article 115 de son règlement,

A. considérant qu'en dépit des efforts consentis ces dernières années par le gouvernement nigérian afin de promouvoir les droits de l'homme et d'endiguer la corruption, et malgré quelques améliorations en ce qui concerne le respect des droits civils et politiques, il subsiste un certain nombre de problèmes urgents et fondamentaux à régler en matière de droits de l'homme et considérant que le pays est miné par la corruption, les arrestations arbitraires et la torture, les exécutions extrajudiciaires et la violence politique,

B. considérant que les divisions ethniques et religieuses ainsi que la pauvreté généralisée sont les principales causes de la violence intercommunautaire chronique,

C. considérant que les tribunaux islamiques de la charia sont compétents en matière pénale dans 12 des 36 États que compte le Nigeria; que ces tribunaux continuent de prononcer des peines de mort et d'ordonner des flagellations et des amputations; considérant que, bien que les exécutions et les amputations ne soient plus d'actualité, les procès ne sont pas conformes aux règles internationales, par exemple en ce qui concerne le droit à un avocat, la communication à l'accusé de ses droits, et que les femmes y sont souvent victimes de discriminations,

D. considérant que l'impunité reste la règle et non l'exception dans la mesure où rares sont les auteurs de violences et de violations des droits de l'homme qui sont poursuivis et traduits en justice, et que cette impunité constitue en elle-même l'un des principaux obstacles à la lutte contre les atteintes aux droits de l'homme et contre la violence ainsi qu'à leur éradication,

E. considérant que l'insuffisance des moyens et des ressources des forces de police nigérianes restreint leurs possibilités d'enquêter sur les crimes et se traduit également par des durées de détention préventive très longues en violation des droits de nombreux accusés,

F. considérant que les forces de police et de sécurité sont souvent impliquées dans des violations des droits de l'homme, y compris des exécutions extrajudiciaires, des arrestations arbitraires et des actes de torture,

G. considérant que le travail et le trafic d'enfants restent monnaie courante,

H. considérant que la liberté d'expression reste entravée par le harcèlement permanent des journalistes et des activistes politiques,

I. considérant que le parlement nigérian examine actuellement un projet de loi interdisant le mariage homosexuel qui prévoit une peine d'emprisonnement de cinq ans pour toute personne qui "célèbre une cérémonie de mariage entre personnes de même sexe, assiste à une telle cérémonie, y contribue ou l'encourage", mais aussi pour toute personne participant de manière publique ou privée à la représentation positive ou à la défense des relations entre personnes de même sexe,

J. considérant que les élections régionales et nationales de 1999 et 2003 n'ont pas pu être considérées comme libres et équitables en raison des nombreux cas de fraude et de violence,

1. demande au gouvernement nigérian de prendre sans délai des mesures efficaces pour protéger ses citoyens, mettre un terme aux violences, à la corruption généralisée et à l'impunité des auteurs de violations des droits de l'homme, et de promouvoir activement le respect des droits de l'homme;



2. invite le gouvernement nigérian à abolir la peine de mort et à intervenir dans les cas individuels de personnes condamnées en vertu de la loi de la charia à la peine de mort, l'amputation, la flagellation et d'autres traitements inhumains et dégradants qui sont contraires à la Constitution nigériane ainsi qu'à la législation internationale en matière de droits de l'homme;
3. se félicite de l'accord multilatéral conclu entre 26 pays d'Afrique occidentale et centrale contre la traite des femmes et des enfants, de même que des autres efforts consentis par les autorités nigérianes dans ce domaine; demande cependant au gouvernement nigérian de prendre d'autres mesures dans ce domaine et en matière de lutte contre l'exploitation des enfants au travers du travail des enfants;
4. invite toutes les parties prenantes aux prochaines élections nationales d'avril 2006 à déclarer publiquement leur volonté de mettre fin aux violences politiques, aux exécutions, aux intimidations et aux autres violations des droits de l'homme ainsi qu'à l'impunité pour ces crimes;
5. demande au gouvernement nigérian de prendre toutes les mesures nécessaires pour apaiser les inquiétudes préélectorales concernant les atteintes à l'indépendance de la commission nationale électorale indépendante, les comportements abusifs et le harcèlement par les forces de sécurité et tout autre obstacle à la liberté d'expression et d'opinion et aux autres exigences fondamentales pour des élections libres et équitables;
6. invite le parlement nigérian à ne pas adopter la loi interdisant le mariage homosexuel sous sa forme actuelle dans la mesure où elle comporte des atteintes aux droits fondamentaux de l'homme en matière de liberté d'expression et d'opinion, en particulier lorsqu'elle prévoit une peine d'emprisonnement de cinq ans pour toute personne participant de manière publique ou privée à la représentation positive ou à la défense des relations entre personnes de même sexe;
7. charge son Président de transmettre la présente résolution au Conseil, à la Commission ainsi qu'au gouvernement et au parlement nigériens.

## **Mauritania**

- ▶ **Declaration by the Presidency on behalf of the EU on the first round of the presidential elections in Mauritania** (16/03/2007)

The European Union is pleased that the first round of the Mauritanian presidential elections, on 11 March 2007, was generally peaceful. The European Union Electoral Observation Mission was privileged to be a close witness to the first round of this poll, which is crucial for a return to democracy.

The European Union congratulates the government on creating the conditions for Mauritanian voters to choose the President of the Republic completely freely, without constraint or pressure, from among various different candidates. The relatively high turnout attests to the Mauritanian people's profound desire to begin a new chapter in the history of their country and to help establish a lasting and stable democracy in the country.

The European Union is pleased to note that the government honoured its commitment to remain neutral during the electoral campaign and while the first ballot was taking place. Despite the particular circumstances, which were often difficult, the material organisation of the elections proved to be satisfactory.

The European Union hopes that the second round of the presidential elections, which is scheduled for 25 March 2007, will be calm and peaceful, in full compliance with the Mauritanian Government's commitments on transparency and neutrality.

The European Union notes that the transparency of the elections was reinforced, amongst others, by the presence of a European Union Election Observation Mission, which issued its preliminary statement on 14 March 2007.

[http://www.eu2007.de/en/News/CFSP\\_Statements/March/0316Mauretanien.html](http://www.eu2007.de/en/News/CFSP_Statements/March/0316Mauretanien.html)

## AMERICAS

### Guatemala

#### ► Killings of parliamentarians in Guatemala (15/03/2007)

In response to the assassinations in Guatemala on 19 February of three Members of the Central American Parliament (PARLACEN) and the subsequent murder of the presumed killers, the European Parliament, in a resolution adopted by 57 votes to 0 with 1 abstention, calls on the Guatemalan authorities to face up to their responsibilities.

On 19 February the three parliamentarians (all from El Salvador) and their driver were murdered as they drove towards the PARLACEN plenary meeting. The alleged perpetrators of these crimes, who worked in the Guatemala Police Department, were themselves subsequently killed "in bizarre circumstances which have still not been clarified", says the resolution. Television journalists who covered the murder of the four police officers have received death threats.

#### *A deep-rooted problem*

This is not an isolated case. Several thousand homicides are committed every year in Guatemala but arrests are made in only 2% of cases. Threats and burglaries are suffered by witnesses and legal representatives of genocide victims and human rights organisations

Organised crime is "deeply entrenched in the public institutions" and "has penetrated the Guatemalan police", contributing to "an atmosphere of impunity, and the deterioration of public safety", says the resolution. This "points to the need to assume political responsibility"

#### *Government is responsible for protecting judiciary and human rights activists*

In its resolution the European Parliament first expresses "its total repudiation of all the murders concerned, and transmits its condolences to the victims' relatives".

The EP then says it "expects the Guatemalan Government to guarantee full independence, liberty and security to the Guatemalan judicial authorities in their investigation of these crimes" and "calls for the full cooperation of the political, judicial and police authorities in Guatemala and El Salvador in the investigation of the events".

More widely, MEPs call on the government "**to protect the judicial agents, the victims of crimes against humanity who are seeking justice, the human rights activists, and the witnesses who can help the trials progress**". The EP "welcomes the restructuring and purge of the security forces introduced by the government".

#### *Combating impunity*

The resolution urges the Guatemalan Parliament to "ratify the agreement signed on 12 December 2006 by the Government of Guatemala with the United Nations setting up an International Commission of Inquiry against Impunity in Guatemala (CICIG)". The Guatemalan Parliament is also pressed to ratify the Statute on the International Criminal Court.

Lastly, the EP calls on the European Commission, under the cooperation strategy with Guatemala for 2007-2013, to promote "the rule of law, the fight against impunity, full respect for human rights and support for the Government of Government in capacity building of its security forces on the basis of human safety criteria".

[http://www.europarl.europa.eu/news/expert/infopress\\_page/015-4064-071-03-11-902-20070309IPR04022-12-03-2007-2007-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/015-4064-071-03-11-902-20070309IPR04022-12-03-2007-2007-false/default_en.htm)

## **Résolution du Parlement européen du 15 mars 2007 sur le Guatemala**

Le Parlement européen ,

— vu ses précédentes résolutions sur le Guatemala, et notamment celles du 18 mai 2000 , du 14 juin 2001, du 11 avril 2002 du 10 avril 2003, du 7 juillet 2005 et du 26 octobre 2006 sur le procès intenté contre Rios Montt ,

— vu l'accord entre le gouvernement du Guatemala et les Nations unies visant la création d'une commission internationale contre l'impunité au Guatemala (Comisión Internacional Contra la Impunidad en Guatemala CICIG), signé le 12 décembre 2006,

— vu son engagement résolu et constant en faveur du respect des accords de paix et des droits de l'homme au Guatemala,

— vu l'accord-cadre de dialogue politique et de coopération entre la Communauté européenne et ses Etats membres, d'une part, et les républiques du Costa Rica, d'El Salvador, du Guatemala, du Honduras, du Nicaragua et du Panama, d'autre part, signé le 15 décembre 2003,

— vu la position exprimée par le parlement centraméricain (PARLACEN) face au massacre des trois députés centraméricains,

— vu l'article 115, paragraphe 5, de son règlement,

A. considérant que, le 19 février 2007, trois membres du parlement centraméricain, les salvadoriens Eduardo José d'Aubuisson Munguía, William Rizzieri Pichinte Chávez et José Ramón González Rivas, ainsi que leur chauffeur Gerardo Napoleón Ramírez, ont été sauvagement assassinés alors qu'ils se dirigeaient vers la session plénière du PARLACEN, et que leurs corps carbonisés et abandonnés ont été retrouvés près de Guatemala-city,

B. considérant que les auteurs allégués de ces crimes (Luis Arturo Herrera López, José Estuardo López, José Adolfo Gutiérrez et Marvin Escobar Méndez), qui occupaient des postes à responsabilités au sein de la division des enquêtes criminelles de la police guatémaltèque, ont été assassinés dans la prison de haute sécurité où ils étaient détenus, dans des circonstances mystérieuses qui n'ont pas encore été éclaircies,

C. considérant que l'on soupçonne que ces assassinats ont été une tentative d'entraver l'enquête visant à révéler l'identité des instigateurs de l'assassinat des membres du PARLACEN,

D. considérant que des journalistes de télévision qui ont couvert l'assassinat des quatre officiers de police ont reçu des menaces de mort après la diffusion de leur reportage,

E. considérant que, aux dires des experts en matière de droits de l'homme, plusieurs milliers d'homicides sont perpétrés chaque année au Guatemala et qu'il n'est procédé à des arrestations que dans 2 % des cas; que des syndicalistes (tels que Pedro Zamora à Puerto Quetzal), des leaders paysans et des membres de leurs familles ont également été assassinés plus tôt en 2007, et que les témoins des cas de génocide faisant l'objet d'une enquête ont été victimes de menaces, d'effractions, de violations de domicile et de cambriolages, de même que les représentants légaux des victimes de génocide ou diverses organisations des droits de l'homme,

F. considérant que le vice-président Eduardo Stein a reconnu combien il s'avère difficile de lutter contre le crime organisé dès lors que celui-ci est solidement implanté dans les institutions publiques elles-mêmes; que cette situation met en lumière le degré de pénétration du crime organisé au sein de la police guatémaltèque, la recrudescence d'un climat d'impunité et la détérioration de la sécurité publique, et qu'elle témoigne de la nécessité d'assumer des responsabilités politiques,

1. condamne dans les termes les plus énergiques les assassinats précités et exprime ses condoléances aux familles des victimes;

2. attend du gouvernement guatémaltèque qu'il garantisse l'entière indépendance, la liberté et la sécurité aux autorités judiciaires guatémaltèques chargées d'enquêter sur ces crimes; demande aux autorités politiques, judiciaires et policières guatémaltèques et salvadoriennes de collaborer pleinement à l'enquête en cours sur les événements précités;

3. invite instamment le parlement guatémaltèque à ratifier l'accord sur la CICIG;

4. demande à l'Union européenne et au gouvernement guatémaltèque de convoquer le Groupe consultatif pour le Guatemala, auquel participent les principaux pays donateurs pour soutenir la mise en œuvre du CICIG et promouvoir l'instauration d'un dialogue national contre l'impunité;

5. invite instamment le parlement guatémaltèque à ratifier le Statut de Rome de la Cour pénale internationale adopté le 17 juillet 1998 et à modifier sa législation nationale conformément aux obligations découlant du Statut de Rome et de toute autre législation internationale pertinente;

6. demande au gouvernement guatémaltèque d'adopter des mesures visant à protéger les représentants de la justice, les victimes de crimes contre l'humanité demandant que justice soit faite, les défenseurs des droits de l'homme et les témoins susceptibles de contribuer à l'avancement des procès;

7. se félicite des restructurations et des purges opérées au sein des forces de sécurité par le gouvernement;

8. exprime son soutien au peuple et aux autorités guatémaltèques, qui doivent continuer à faire respecter l'État de droit et à promouvoir le développement économique, social et politique, qui contribueront à l'avènement de la paix et à la réconciliation nationale;

9. invite instamment la Commission à renforcer, dans le cadre de sa stratégie de coopération avec le Guatemala durant la période 2007-2013, la promotion de l'État de droit, de la lutte contre l'impunité, du respect intégral des droits de l'homme et du soutien au gouvernement guatémaltèque au chapitre du renforcement des capacités des forces de sécurité, sur la base des critères de la sécurité humaine;

10. déclare qu'il est absolument indispensable que les autorités de l'État où siège le PARLACEN veillent à garantir la sécurité et l'intégrité physique des députés au PARLACEN et des réunions de ce dernier;

11. charge son Président de transmettre la présente résolution au Conseil, à la Commission, aux gouvernements de la République du Guatemala, de la République d'El Salvador et des autres pays centraméricains ainsi qu'au parlement centraméricain.

## ASIA

### Cambodia

#### ► **Murder of trade unionists in Cambodia condemned** (15/03/2007)

The background to the resolution on Cambodia - which was adopted by 59 votes to 0 with 0 abstentions - is the murder of several trade unionists in recent years, the unreliable conviction of two people for one of the murders and the general lack of respect for the rule of law and basic rights in the country.

#### *Trade unionists not safe*

The murders of Hy Vuthy, Chea Vichea and Ros Sovannarith are the most prominent cases cited by the resolution, although other trade unionists in Cambodia "have been victims of serious harassment, intimidation and physical attacks in the past year".

Two individuals, Born Sammang and Sok Sam Oeun, were arrested for the murder of Chea Vichea and sentenced to 20 years' imprisonment "despite the lack of any credible evidence against them", says the resolution.

**The EP is "seriously concerned that these cases demonstrate that there is still no guarantee of the independence and impartiality of the judiciary".**

#### *Khmer Rouge trials*

**Nor is there any guarantee of the judiciary's ability to conduct the trials of the Khmer Rouge leaders in the specially created court (the ECCC) without political interference**, say MEPs. This court has not started work, because of disagreements between Cambodian and international judicial officers on the court's draft internal rules.

#### *Cambodian authorities must tackle judicial and other problems*

Parliament's resolution therefore "condemns the killing of Hy Vuthy and all other acts of violence against trade unionists; urges the Cambodian authorities to launch an urgent, impartial and effective investigation into the murders of Hu Vuthy, Chea Vichea, Ros Sovannarith and Yim Ry" and "calls on the authorities to give Born Sammang and Sok Sam Oeum a prompt retrial which complies with international standards".

It also "insists **that the Cambodian Government must put an end to the prevailing climate of impunity and effectively apply the law to violators of human rights and civil liberties**".

More broadly, the authorities are urged "to engage in political and institutional reforms with a view to building a democratic State" and "to ensure in all circumstances respect for human rights and fundamental freedoms, in accordance with international human rights standards and international conventions ratified by Cambodia".

The Cambodian Government must also "allow the Khmer Rouge Tribunal to start operating without

**further delay, in accordance with international standards of judicial independence, fair trial and due legal process, as agreed with the UN in June 2003"**

*Human rights and democracy: a cornerstone of Cambodia's agreement with EU*

Lastly, MEPs remind the Cambodian Government that **"it must meet its obligations and commitments with regard to the democratic principles and fundamental human rights" under its Cooperation Agreement with the EU**. The Council and the Commission of the EU are asked "to address the concerns over human rights and the rule of law in Cambodia in their contacts with the Cambodian Government".

[http://www.europarl.europa.eu/news/expert/infopress\\_page/015-4064-071-03-11-902-20070309IPR04022-12-03-2007-2007-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/015-4064-071-03-11-902-20070309IPR04022-12-03-2007-2007-false/default_en.htm)

## **Résolution du Parlement européen du 15 mars 2007 sur le Cambodge**

Le Parlement européen ,

— vu ses résolutions du 13 janvier 2005, du 10 mars 2005 et du 19 janvier 2006) sur le Cambodge et sa résolution du 1er décembre 2005 sur la situation des droits de l'homme au Cambodge, au Laos et au Vietnam ,

— vu l'accord de coopération entre la Communauté européenne et le Royaume du Cambodge , approuvé le 4 octobre 1999,

— vu la déclaration des Nations unies sur les défenseurs des droits de l'homme, adoptée le 9 décembre 1998,

— vu les orientations de l'Union européenne concernant les défenseurs des droits de l'homme, adoptées par le Conseil le 14 juin 2004,

— vu le pacte international relatif aux droits économiques, sociaux et culturels et le pacte international relatif aux droits civils et politiques, adoptés le 16 décembre 1966, auxquels le Cambodge est partie,

— vu l'accord entre l'Organisation des Nations unies et le gouvernement royal cambodgien, du 6 juin 2003, concernant la poursuite, conformément au droit cambodgien, des auteurs des crimes commis pendant la période du Kampuchea démocratique,

— vu l'article 115, paragraphe 5, de son règlement,

A. considérant que, le 24 février 2007, M. Hy Vuthy, président du syndicat libre des travailleurs du Royaume du Cambodge (FTUWKC) de l'usine textile Suntex, a été abattu après y avoir terminé son service de nuit, dans le quartier de Dangkao à Phnom Penh,

B. considérant que M. Chea Vichea, président du FTUWKC, avait été abattu le 22 janvier 2004 et que M. Ros Sovannarith, président du FTUWKC de l'usine Trinunggal Komara, avait été assassiné le 7 mai 2004, tandis que d'autres syndicalistes ont été victimes, au Cambodge, d'actes graves de harcèlement et d'intimidation ainsi que d'agressions physiques au cours de l'année dernière,

C. considérant que l'affaire du meurtre de M. Chea Vichea n'a toujours pas été résolue; considérant que, le 28 janvier 2004, M. Born Sammang et M. Sok Sam Oeun ont été arrêtés pour avoir prétendument tué M.

Chea Vichea et qu'ils ont ensuite été jugés coupables et condamnés à une peine de 20 ans d'emprisonnement malgré l'absence de preuve crédible de leur culpabilité,

D. considérant que le Cambodge est partie au pacte international relatif aux droits économiques, sociaux et culturels et au pacte international relatif aux droits civils et politiques, qui garantissent à toute personne le droit de constituer des syndicats et d'adhérer au syndicat de son choix, et aux syndicats le droit d'exercer librement leurs activités,

E. considérant que la déclaration des Nations unies sur les défenseurs des droits de l'homme garantit aussi le "droit, individuellement ou en association avec d'autres, de promouvoir la protection et la réalisation des droits de l'homme (article 1er )",

F. sérieusement préoccupé par le fait que, comme les affaires précitées le démontrent, l'indépendance et l'impartialité du pouvoir judiciaire ne sont toujours pas garanties, de même que sa capacité à juger, indépendamment de toute ingérence politique, les dirigeants khmers rouges devant le tribunal spécialement créé à cet effet,

G. considérant que les procédures devant les chambres extraordinaires au sein des tribunaux cambodgiens n'ont toujours pas commencé en raison de plusieurs désaccords entre les officiers ministériels cambodgiens et internationaux concernant le projet de règlement intérieur de ces chambres,

H. profondément inquiet de l'incertitude qui pèse sur le statut juridique des Montagnards vietnamiens réfugiés au Cambodge,

1. condamne le meurtre de M. Hy Vuthy et tous les autres actes de violence commis à l'encontre de syndicalistes; demande instamment aux autorités cambodgiennes de lancer une enquête urgente, impartiale et efficace concernant les meurtres de M. Hy Vuthy, M. Chea Vichea, M. Ros Sovannarith et M. Yim Ry, d'en publier les conclusions et de traduire les coupables en justice; demande aux autorités de rejurer M. Born Sammang et M. Sok Sam Oeum dans le cadre d'un procès rapide conforme aux normes internationales;

2. insiste pour que le gouvernement cambodgien mette un terme au climat actuel d'impunité et pour qu'il sanctionne efficacement les personnes coupables de violation des droits de l'homme et des libertés civiles;

3. rappelle au gouvernement cambodgien qu'il est tenu de remplir ses obligations et de tenir ses engagements au regard des principes démocratiques et des droits fondamentaux de l'homme, qui constituent un élément essentiel de l'accord de coopération conclu avec la Communauté européenne, ainsi que le prévoit l'article 1er de cet accord;

4. demande aux autorités cambodgiennes d'engager des réformes politiques et institutionnelles en vue de construire un État démocratique soumis à l'état de droit et fondé sur le respect des libertés fondamentales, ainsi que de garantir en toutes circonstances le respect des droits de l'homme et des libertés fondamentales, conformément aux normes internationales en matière des droits de l'homme et aux conventions internationales que le Cambodge a ratifiées;

5. prie instamment le gouvernement cambodgien de permettre au tribunal relatif aux khmers rouges de débiter ses travaux sans plus attendre, conformément aux normes internationales en matière d'indépendance du pouvoir judiciaire, de procès équitable et de procédure judiciaire régulière, comme convenu avec les Nations unies en juin 2003;

6. soutient les efforts fournis par la commission d'examen chargée du règlement intérieur des chambres extraordinaires au sein des tribunaux cambodgiens pour rapprocher les points de vue sur un certain nombre de questions afin de faire avancer les poursuites et le déroulement des procès;

7. demande au Conseil et à la Commission d'aborder les problèmes relatifs aux droits de l'homme et à l'état de droit au Cambodge dans le cadre de leurs relations avec le gouvernement cambodgien;

8. charge son Président de transmettre la présente résolution au Conseil et à la Commission, ainsi qu'au gouvernement et à l'Assemblée nationale du Royaume du Cambodge, au secrétaire général des Nations unies, au haut-commissaire des Nations unies aux droits de l'homme, au représentant spécial du secrétaire général des Nations unies pour les droits de l'homme au Cambodge et aux gouvernements des États membres de l'Association des nations de l'Asie du Sud-Est.

## EUROPE (OUTSIDE OF UE ) AND CIS

### Russia

#### ► Attack on Galina Kozlova and oppression of Mari minority in Russia condemn (15/03/2007)

In a parliamentary resolution, **MEPs roundly condemned the recent attack on Mari activist Galina Kozlova and called on the Russian authorities to "bring the perpetrators of these acts to justice and ensure respect for freedom of expression."** The House emphasised the importance of minority languages and cultures in the Russian federation, and called on the Commission to raise the issue during the regular EU-Russia human rights dialogue.

On 25 January of this year, Galina Kozlova, a member of the board of the Mari national organisation Mari Usem, and wife of Vladimir Kozlov, chair of the Mari council, was attacked and suffered severe head injuries. The attack follows a series of attacks on Mari activists and journalists in the Mari El republic, and no convictions or arrests have been made. The Mari are a Finno-Ugric minority in Russia, concentrated in the Mari El republic. They are pushing for full cultural and linguistic rights, such as access to secondary and higher education in their language.

The Parliament's resolution calls for a "speedy, comprehensive and independent inquiry by federal, and local judicial authorities into the attacks." It also calls on the Government of Mari El "to halt political retribution and intimidation" and to "refrain from undue political interference in the affairs of educational and cultural institutions." MEPs insisted that Russian authorities enable "quality education in a person's native language at all levels," and called on the Commission to raise the issue of Finno-Ugric minorities during the regular EU-Russia human rights dialogue.

[http://www.europarl.europa.eu/news/expert/infopress\\_page/030-4063-071-03-11-903-20070309IPR04021-12-03-2007-2007-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/030-4063-071-03-11-903-20070309IPR04021-12-03-2007-2007-false/default_en.htm)

### Bosnia-Herzegovina

#### ► Bosnia-Herzegovina: still divided but hopes for the future(15/03/2007)

The past, present and future of Bosnia-Herzegovina came to the Parliament on Wednesday when MEPs debated a report drafted by European People's Party MEP Doris Pack. Opening the debate she called for a



return of refugees, reform of the Constitution that divides the country, an end to nationalism mentalities and for Radovan Karadzic to be handed over for trial in Hague. She said that Bosnia must become a unified state "able to look after its own citizens" if it ever wanted an EU future.

MEPs supported the report in a vote today. During the debate Europe's Enlargement Commissioner Olli Rehn told members that over the last year in Bosnia "the reform agenda stagnated and political climate turned sour, reflecting a zero-sum mentality, nationalistic rhetoric and tensions..."

In the first of a series of articles we look at the place of former Yugoslav Republics and their ambitions to build closer ties with the European Union.

### **Burden of the past: 36% of population lost to war and refugees**

The war in Bosnia was the bloodiest chapter in the disintegration of Yugoslavia. Between 1992 and 1995 Bosnia-Herzegovina lost 36% of its population to death or in flight as refugees. Some of the most notorious horrors included four year siege of Sarajevo and the massacre of 8000 men and boys in Srebrenica in July 1995.

In the debate Philippe Morillon, now a Liberal ALDE member but in 1992 the head of UN Forces in Bosnia, spoke of the "martyred city" of Sarajevo he had entered 15 years ago. A city that had "no ghettos" until the "crazy militias" took over

### **Dangers of the present**

Since the Dayton peace accord ended the war in 1995 the country has existed as Bosnia-Herzegovina but has effectively been divided between the Bosnian-Croat Federation and the Serb Republic ("Republika Srpska"). Mrs Pack told MEPs this arrangement suited the ending of the war but was now a "dinosaur". She favours constitutional reform to unite the country.

The Pack report clearly supports a potential EU future for the country. It states that the "EUs' overall policy towards BiH and the whole region of the Western Balkans is based on a clear prospect of European integration as set out in the Thessaloniki Agenda".

At present there are 7000 EUFOR police and troops in the country supporting the stabilization and recovery of the country. Since 1991 the EU has also donated €2.5 billion to the country.

However Bosnia-Herzegovina is a fragile entity with formerly moderate political parties return in recent elections increasingly embracing nationalist rhetoric.

### **Future steps towards reconciliation**

The report is very clear on what action must be taken: it advocates steps that will help mend the psychological scars of war. These include reconciliation that would destroy segregation nationalism and reform of the educational system to help new generations overcome the past.

In terms of physical healing it calls for suspected war criminals must be arrested and handed over for trial. In addition more attention must be paid to searching for people who went missing during the conflict and the re-integration of refugees

In the debate Czech Socialist MEP Libor Rouček identified the need for police reform and called it a "prerequisite of further negotiations between the EU and Bosnia"

Politically MEPs want negotiations on the Stabilisation and Association Agreements (SAA) between the EU and Bosnia-Herzegovina to continue and the "Office of the High Representative" to be maintained.

Finally the EU must be involved, the report says the Union "must provide strong and coordinated support to help BiH to achieve its long-term aim of European integration as quickly and thoroughly as possible".

[http://www.europarl.europa.eu/news/public/story\\_page/030-3958-071-03-11-903-20070308STO03947-2007-12-03-2007/default\\_en.htm](http://www.europarl.europa.eu/news/public/story_page/030-3958-071-03-11-903-20070308STO03947-2007-12-03-2007/default_en.htm)

## MAGHREB AND MIDDLE EAST

### Middle East

► **Declaration by the Presidency of the EU on Formation of a Palestinian Government of National Unity** (17/03/2007).

1. The Presidency of the EU welcomes the formation of a Palestinian Government of National Unity pursuant to the agreement reached in Mecca on 8 February 2007, which lays the foundation for Palestinian reconciliation.

2. The Presidency of the EU recalls the readiness of the EU to work with and to resume its assistance to a legitimate Palestinian government adopting a platform reflecting the Quartet principles. The EU will carefully assess the platform and actions of the new government and its ministers.

3. Mindful of the needs of the Palestinian people, the EU is committed to continuing its vital assistance through the Temporary International Mechanism until the financial situation and future needs can be assessed and a more sustainable framework for assistance can be established. The EU calls for the release of Palestinian tax and customs revenues withheld by Israel.

4. The EU urges the Palestinian government to support all efforts for the immediate release of the abducted Israeli corporal Gilad Shalit. It also calls for the immediate release of Palestinian ministers and legislators detained in Israel.

5. The Presidency of the EU is confident that the Palestinian government will support President Abbas in the renewed political process initiated between Israeli and Palestinian leaders with the aim of launching meaningful negotiations leading to an end to the occupation that began in 1967 and to the creation of an independent, democratic and viable Palestinian state, living side-by-side in peace and security with Israel.

[http://www.eu2007.de/en/News/CFSP\\_Statements/March/0317Palaestina.html](http://www.eu2007.de/en/News/CFSP_Statements/March/0317Palaestina.html)

### **THEMATIC :**

**FINANCIAL PERSPECTIVES**

**JUSTICE AND HOME AFFAIRS**

## EXTERNAL RELATIONS & DEVELOPMENT-RELATED ISSUES

### EU / UN REFORM

### MISCELLANEOUS

#### UN Human Rights Council

- ▶ **Federal Minister Steinmeier participates in 4th session of the UN Human Rights Council in Geneva (12/03/2007)**

This Monday (12 March), Federal Foreign Minister Dr Frank-Walter Steinmeier took part in the opening session of the 4th Human Rights Council of the United Nations in Geneva.

Speaking before the Council on behalf of the European Union, the Federal Minister stressed the great importance which EU Member States attach to concerted human rights efforts under the aegis of the United Nations.

Regarding the Human Rights Council, now in existence for one year, Steinmeier said that the creation of the forum in 2006 represented an important first step towards more effective human rights work in the United Nations. The first year had nevertheless shown that it would be vital to continue improving the working methods of the Human Rights Council so that it would be able to fulfil the hopes vested in it and develop into a truly powerful instrument of international human rights policy.

The Foreign Minister took advantage of the session in Geneva to formulate **four priorities** of the European Union in upcoming negotiations:

- 1. Establishing a general assessment mechanism (Universal Periodic Review) applicable to all countries;**
- 2. Preserving and strengthening the existing system of Special Rapporteurs;**
- 3. Securing comprehensive rights of attendance and participation for representatives of civil society;**
- 4. Reducing "bloc thinking" and regional preoccupations.**

Steinmeier underlined that the EU would be directing particular attention to the unacceptable situation in Darfur.

In light of the recent surge of international support for the abolition of the death penalty, the Federal Minister advocated on behalf of the European Union - which is strongly committed to this cause - that the topic of abolishing the death penalty should continue to be pursued with determination at international level. In conclusion, the Federal Foreign Minister called for the assistance of countries not currently participating in the Council, stressing that a successful Human Rights Council needed global support.

On the fringes of the event, the Federal Minister also met the President of the International Committee of the Red Cross, Dr Jakob Kellenberger, and the UN High Commissioner for Human Rights, Louise Arbour. The talks focused on the global human rights situation and topical international humanitarian issues. The Federal Minister addressed the same issues in discussions with the "Forum Menschenrechte" (Human Rights Forum) and representatives of international human rights organizations as part of an ongoing process of exchange.

Minister Steinmeier also met the President of the Swiss Confederation, Micheline Calmy-Rey, for a bilateral exchange of opinions. Their discussions focused on relations between the EU and Switzerland as well as on topical European and international issues.

[http://www.eu2007.de/en/News/Press\\_Releases/March/0312Genf.html](http://www.eu2007.de/en/News/Press_Releases/March/0312Genf.html)

## **Women's rights**

### ► **Equality between men and women: a roadmap to show the way forward** (13/03/2007)

The European Parliament calls on the European Commission to give practical effect to its "roadmap for equality between women and men". Above all, MEPs want the principle of equal pay for equal work to be applied, paternity leave encouraged, action taken against violence, better integration of immigrant women and promotion of respect for women's rights in the EU's external relations.

The policy of gender equality should be treated by the Commission as "an indispensable requirement of respect for the rights of the individual", says the European Parliament in an own-initiative report, which was adopted with a large majority. During the debate, the rapporteur Amalia SARTORI (EPP-ED, IT) noted that the Women's Rights' Committee's starting point was the promotion of the individual's rights, and that "when putting the promotion of rights in the centre, we must also establish zero-tolerance when these rights are not respected."

### **Equal pay for equal work**

MEPs call for national measures to help women enter the labour market "on a footing of equal dignity and equal pay for equal work" and for the implementation of "concrete strategies to reinforce female entrepreneurship". It also calls on the Commission to revise Council directive 75/117/EEC on the approximation of laws on the application of equal pay for men and women.

Elsewhere, the report calls on Member States to appoint a national official to take charge of gender equality under the Lisbon strategy's employment and growth objectives

### **Reconciling work and family life**

The report calls on the Commission, in collaboration with the Member States and its social partners, to encourage the creation of policies to reconcile family and working life, for example those designed to:

- ensure that the cost of motherhood is borne by society as a whole;
- make care services and assistance more accessible and flexible;
- actively encourage fathers and male cohabitants to make use of available flexible working time options and take on household chores and family work, for example by laying down an initial form of paternity leave;

### **Action against violence and trafficking in human beings**

MEPs urge the Commission to **strengthen measures to protect women and children against all forms of violence, including slavery, crimes of honour, trafficking in human beings and polygamy**. They want indicators to be devised on these forms of violence.

MEPs also want the Commission to gather, as soon as possible, comparable and reliable data on trafficking in human beings with a view to reducing the number of victims, as well as carrying out a study on the causal correlation between legislation on prostitution and trafficking for sexual exploitation and disseminating best practices, including actions taken relating to the demand side. The Commission should also, provided that a legal basis is determined, present a proposal for a directive on combating violence against women.

The report also calls on the Member States to introduce compulsory registration of acts of female genital mutilation performed by persons involved in health care and to withdraw the licence of doctors who practice it.

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### **A key condition in external policy**

"Respect for women's rights must be an essential condition of the EU's neighbourhood, foreign and development policies", says the House. MEPs stress that the respect for women's rights must also be key condition of accession negotiations with applicant countries.

MEPs find that the EU should "show greater commitment" towards political dialogue with third countries and to giving financial support linked to development, with a view to promoting gender equality. They stress the importance of promoting the education of girls at all levels, ensuring equal access to training programmes, fostering female entrepreneurship, guaranteeing them equal access to labour markets and to means of production such as land, credit and technology. A call is also made for greater efforts to be made to protect girls against all forms of violence.

The EP urges the Commission and the Member States to take appropriate measures, as part of their development cooperation policies, to encourage better representation of women by ensuring that women have the same opportunities as men and by encouraging their participation in professional associations and political planning and decision-making bodies.

The report also calls on the Commission to ensure coordination between the EU and the UN as regards equal opportunities policies and girls' rights.

### **Integrating migrant women**

The report also calls on the Commission "to take practical steps to promote the emancipation and economic and social integration of migrant women, including "measures to foster language skills and understanding of the rights and duties deriving from the Community acquis, international agreements, the principles and laws applying in host countries (which, among other things, prohibit polygamy under the cloak of family reunification) and from the Union's core values".

### **The role of media**

MEPs believe that if the media were to publicise good examples of both women's roles in society and their achievements in all sectors, this would help greatly to combat the negative stereotypes which women face. They therefore call on the Commission to encourage measures, under the Media 2007 programme for example, to raise awareness in the media, of the stereotypes that they convey and to promote equal opportunities, particularly with a view to informing and raising awareness among young men and women.

[http://www.europarl.europa.eu/news/expert/infopress\\_page/014-4042-071-03-11-902-20070309IPR04000-12-03-2007-2007-true/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/014-4042-071-03-11-902-20070309IPR04000-12-03-2007-2007-true/default_en.htm)

► **Corporate Social responsibility: a new partnership** (13/03/2007)

The increase of social and environmental responsibility by business, linked to the principle of corporate accountability, represents an essential element of the European Social Model and of Europe's strategy for Sustainable Development, according to the European Parliament which adopted an own initiative report by Richard Howitt (PES, UK) on Corporate Social Responsibility.

The report underlines that Corporate Social Responsibility (CSR) policies should be promoted on their own merits, neither as a substitute for appropriate regulation in relevant fields, nor as a covert approach to introducing such legislation. Agreeing with the Commission of the term, the EP defines CSR as "the voluntary integration of environmental and social considerations into business operations, over and above legal requirements and contractual obligations". The Commission is called upon to encourage dissemination of good practice resulting from voluntary CSR initiatives and believe that the Commission should also consider establishing a list of criteria for enterprises to respect if they claim to be responsible.

MEPs welcome the Commission communication's objective to link CSR to the economic, social and environmental aims on the Lisbon Agenda and the trend for larger companies to publish voluntary social and environmental reports in recent years. The Plenary reminds the Commission to bring forward a proposal on the annual accounts of types of companies which includes requirements for social and environmental reporting alongside financial reporting.

The EP urges the EU to **adopt a European standard for product labelling where observance of human rights and fundamental workers' rights are part of the labelling scheme** and recalls previous consideration given to the appointment of an EU ombudsman on CSR to undertake independent enquiries on CSR-related issues at the request of companies or any stakeholder group.

EU-based translational companies with production facilities in third countries have to abide by core ILO standards, social and environmental agreements to achieve world-wide balance between economic growth and environmental standards, MEPs underline. Parliament wants SME to participate in CSR and suggest that the Commission targets their participation through joint working with intermediary bodies, offering specific support for the participation of cooperative/social economy businesses through their specialist associations.

The Parliament recommends that future CSR research goes beyond the simple "business case" for CSR, to focus on the link between competitiveness and sustainable development, at the macro level (the EU and Member States), the meso level (industry sectors and supply chains) and the micro level (SMEs), and the interrelationship between them, as well as the impact of current CSR initiatives and possible violations of CSR principles.

**Background:**

CSR represents business taking more direct responsibility for managing its social and environmental impact, becoming more openly accountable not simply to employees and their trade unions, but also to wider 'stakeholders' including investors, consumers, local communities, environmental and other interest groups.

The EU response to the CSR debate emanated from the Commission's call to business to for help combat social exclusion in the mid 1990s, the European Parliament resolution of 1999 calling a binding code of conduct to govern EU companies' environmental, labour and human rights compliance worldwide, together with the 2000 call of EU Heads of State for businesses to support CSR as part of the Lisbon Agenda. The Commission Green and White Papers on CSR in the early 2000s put CSR on the agenda for EU institutions, and the setting up of a European Multistakeholder Forum enabled a debate to take place amongst stakeholders.

[http://www.europarl.europa.eu/news/expert/infopress\\_page/048-4041-071-03-11-908-20070309IPR03999-12-03-2007-2007-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/048-4041-071-03-11-908-20070309IPR03999-12-03-2007-2007-false/default_en.htm)