

Reply

(21 July 2003)

1. The Council shares the Honourable Member concerns over the functioning of the Indonesian ad hoc tribunal which was established to bring to justice the perpetrators of the serious human rights violations taking place in East Timor in 1999, and over the handling of the investigation into the deaths of Sander Thoenes, Brian Peters and Malcolm Rennie.
2. Since its establishment, the EU has been following the proceedings of the ad hoc tribunal closely. The EU regrets that the tribunal, with its limited jurisdiction in time and scope, is only able to prosecute a limited number of perpetrators and has so far not been able to reveal the systematic and widespread abuse of human rights. Furthermore, the EU has on several occasions raised its serious concerns with the Indonesian authorities that the quality of the prosecution and the tribunal procedures do not live up to international standards. When the first sentences were handed down in August 2002, the EU expressed its concerns to the Indonesian government that proceedings did not result in a substantiated account of the violence in East Timor. The EU also took note of the small number of victims summoned to testify and the absence of witnesses from Unamet and independent observers. The EU emphasised that important evidence had not been taken into account to substantiate the cases before the court, and expressed fear that the failure to produce relevant witnesses and evidence would jeopardise the credibility of the court's verdicts. Finally, the EU expressed hope that the proceedings of the court in the following months would be in conformity with international standards of justice. The EU will continue to follow carefully the proceedings of the Court, and will raise the issue again in an appropriate manner with the Indonesian government during political dialogue talks.
3. The murder of the Dutch journalist Sander Thoenes is one of the best documented human rights abuses committed in the aftermath of the East Timor referendum. Despite pressure by the EU and other international actors, the competent authorities are still reluctant to bring the case to trial. The EU will continue to urge the Indonesian authorities to make every effort to complete its investigations in the case of Sander Thoenes and bring to justice, as soon as possible, those responsible, and to cooperate with the UN investigation into the deaths of Malcolm Rennie and Brian Peters at Balibo in 1975.
4. The Council has neither discussed the question whether to invite the United Nations to establish an international tribunal on East Timor, nor its possible participation in such a tribunal.

(2003/C 280 E/031)

WRITTEN QUESTION E-3874/02

by Salvador Garriga Polledo (PPE-DE) to the Council

(10 January 2003)

Subject: Improved European military resources for a greater margin of autonomy

It is clear that Europe now needs improved military resources if it is to achieve a greater margin of autonomy and successfully develop a purely European Rapid Intervention Force.

On the political level, one of the great challenges facing the EU concerns the effective creation of an area in which it can develop its own common security and defence policy, so as to ensure a certain guarantee threshold for the preservation of peace throughout Europe: this goal seems more important than any other, unrealisable objectives at world level.

Can the Council, in the context of its competences in the matter, provide information on its level of diagnostic capacity as regards a regular review of the Union's shortcomings vis-à-vis achievement of the objective of establishing a genuine and authentically European security and defence policy?

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The work conducted since the Helsinki European Council has enabled the European Union to define the variety of measures needed successfully to carry out the full range of Petersberg tasks, including the most demanding among these. The military capabilities and forces required by the EU to meet the headline goal have been spelt out in detail and are listed in a capability catalogue, which is regularly reviewed according to the principles approved at the Nice European Council.

Two Capabilities Commitment Conferences, one held under the French, the other under the Belgian Presidency, made it possible to draw together the specific national commitments corresponding to the military capability goals set by the Helsinki European Council. Member States committed themselves, on a voluntary basis, to making national contributions corresponding to the capabilities required to attain the headline goal. Those commitments have been set out in a forces catalogue. Analysis of that catalogue confirms that by 2003, in keeping with the headline goal established at Helsinki, the European Union will be able to carry out the full range of Petersberg tasks, but that certain capabilities need to be improved in both quantitative and qualitative terms in order to maximise the capabilities available to the Union.

Accordingly, at the Conference on Military Capability Improvement (CIC) held on 19 November 2001 Member States identified the remaining shortcomings and agreed on an action plan to remedy them. That plan is based on national decisions (a bottom-up approach) aimed at rationalising Member States' respective defence efforts and on increased synergy between national and multinational projects.

(2003/C 280 E/032)

WRITTEN QUESTION E-3888/02

by Olivier Dupuis (NI) to the Commission

(13 January 2003)

Subject: New wave of repression in Tunisia

On 11 December 2002, Judge Mokhtar Yahyaoui, President of the Centre for the Independence of the Judiciary (CIJ) and a founder member of the International Association for the Support of Political Prisoners (IASPP), was the victim of a violent attack in the street by plain-clothes agents while on his way to his lawyers' office, and on 14 December he was arrested arbitrarily by men in plain clothes and later released. On 13 December, in the capital, police officers laid siege to the office of two human rights lawyers, Mr Nourredine Bhiri (Treasurer of the National Campaign for the Independence of the Judiciary) and Mrs Saida Akremi (Secretary-General of the IASPP), attacking them and their two children (aged 13 and 15). Mrs Akremi was taken away by the police and released only after seven hours of illegal imprisonment. Dr Tahar Mestiri (medical doctor and member of the National Council on Liberties), who was due to examine Mrs Akremi, was attacked and prevented from visiting her. On the same day, many other lawyers and human rights activists were attacked by the political police. On 13 December, political police arrested five former prisoners of conscience in Gafsa (southern Tunisia), including: Mr Ali Chortani, who was tried and sentenced in 1991 to eight years' imprisonment, and is well known for his activities within the Tunisian League of Human Rights in Gafsa and within the Nahdha movement; Mr Lotfi Dassi; Mr Mohsen Nouissi and two other former prisoners of conscience who have not yet been identified from the town of Gafsa. Moreover, issue 885 of the weekly magazine 'Réalités', published on 12 December, was withdrawn from sale because it contained an article on the situation in prisons in Tunisia. On 14 December, the author of the article, the journalist Hedi Yahmed, was brought before the Public Prosecutor. Since 12 December, three vehicles of the political police have besieged the home of the journalist Abdallah Zouari in the village of Medenine. On 16 December, Mr Mohamed Jmour (Secretary-General of the Tunisian bar council and human rights campaigner) was savagely attacked by plain-clothes police officers in Tunis.

What information does the Commission have about this latest wave of brutal repression against pro-democracy activists in Tunisia? What is the Commission's evaluation of the development of the economic and social situation in Tunisia? Does the Commission believe that the Union's policy towards Tunisia is politically tenable?