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- an evaluation of the effectiveness of Union policies in achieving better protection of human rights, including an analysis of the consequences of military, security, and police transfers from the Union; and
 - a detailed analysis of the human rights consequences of the policy options under consideration;
32. Expects that human rights impact assessments will be guided by the fundamental principles accepted by the Union in the Treaties, through Resolutions or Declarations, and through its role in the international community, which principles may not be overruled on the grounds of economic, strategic or political interests of the Union or of one of its Member States;
33. Calls for these assessments to be published, in order to permit comment and examination by international, national and non-governmental agencies;
34. Deeply regrets the disruption of human rights and democracy programmes which resulted from the Court of Justice's ruling of 12 May 1998 (C-106/96);
35. Notes that the Commission's reaction to this judgement showed that human rights and democracy projects remain vulnerable to administrative and legal complications;
36. Welcomes the Inter-institutional Agreement on budget funding resulting from the tripartite dialogue of 17 July 1998 and urges all EU institutions to be committed to finding a long-term solution before the end of the current legislature;
37. Insists that the Interinstitutional Agreement of 17 July 1998 must lead to a valid legal basis being established for the European Union's future human rights policy and corresponding programmes;
38. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, and the United Nations.

(b) A4-0410/98

Resolution on human rights in the world in 1997 and 1998 and European Union human rights policy

The European Parliament,

- having regard to its previous resolutions on human rights in the world, adopted on 12 December 1996, 26 April 1995, 12 March 1993, 12 September 1991, 18 January 1989, 12 March 1987, 22 October 1985, 22 May 1984 and 17 May 1983⁽¹⁾,
- having regard to its resolution on the Commission report on the implementation of measures intended to promote observance of human rights and democratic principles (COM(96)0672 — C4-0095/97)⁽²⁾,
- having regard to its resolution on the Communication from the Commission on the inclusion of respect for democratic principles and human rights in agreements between the Community and third countries (COM(95)0216 — C4-0917/95)⁽³⁾,
- having regard to its resolution on setting up a single coordinating structure within the Commission responsible for human rights and democratisation⁽⁴⁾,

⁽¹⁾ OJ C 20, 20.1.1997, p. 94; OJ C 126, 22.5.1995, p. 15; OJ C 115, 26.4.1993, p. 214; OJ C 267, 14.10.1991, p. 165; OJ C 47, 27.2.1989, p. 61; OJ C 99, 13.4.1987, p. 157; OJ C 343, 31.12.1985, p. 29; OJ C 172, 2.7.1984, p. 36; OJ C 161, 10.6.1983, p. 58.

⁽²⁾ OJ C 14, 19.1.1998, p. 399.

⁽³⁾ OJ C 320, 28.10.1996, p. 261.

⁽⁴⁾ OJ C 14, 19.1.1998, p. 402.

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- having regard to its resolution on the establishment of a European Centre for Active Crisis Prevention ⁽¹⁾,
 - having regard to its resolution on the introduction of a social clause in the unilateral and multilateral trading system ⁽²⁾,
 - having regard to the Council's Memorandum to the European Parliament on human rights in the world and the Union's human rights policy (C4-0080/98),
 - having regard to Rule 148 of its Rules of Procedure,
 - having regard to the annual report of the Committee on Foreign Affairs, Security and Defence Policy (A4-0410/98),
- A. whereas, in the interests of the Member States and of humankind generally, the protection and promotion of human rights must constitute one of the most important axes of the CFSP, both in its conception and its implementation, as well as of the autonomy of the EU,
- B. whereas globalisation limits the practical effectiveness of democracy and human rights, a problem which requires forms of action and political decision-making structures to be devised at international level, as in the case of the EU, whose political integration still needs to be increased,
- C. whereas globalisation, i.e. the greater interdependence of economies at international level, has an impact on the running of economic policies and requires improvements to be made to the rules on the supervision of the financial sectors,
- D. whereas the Cold War being over, human rights policies can finally be decoupled from ideological conflicts and can therefore aim to effectively promote universal values in particular in the face of every kind of religious fanaticism,
- E. whereas 1998 marks the 50th anniversary of the Universal Declaration of Human Rights, and whereas the UN has declared this to be a year of human rights,
- F. whereas this year marks the tenth anniversary of the inauguration of the European Parliament Sakharov Prize for Freedom of Thought,
- G. whereas economic, social and cultural rights are not as codified as civil and political rights, and therefore need increased attention; stressing, however, that strengthening economic, social and cultural rights, for example by increasing living standards, should never be done instead of, or at the expense of, civil and political rights,
- H. whereas the promotion of human rights globally is an essential contribution to international peace, stability and prosperity,
- I. whereas history shows that the welfare of the populace is best served by providing each citizen with a political voice and by providing him or her with the opportunity and the means for making him or herself heard,
- J. whereas human rights problems are highlighted primarily through the involvement of local groups, NGOs and church organisations; whereas, however, the general public is often not aware of these problems,
- K. whereas most of the world's countries have committed themselves to respecting the obligations codified in the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights,
- L. whereas respect for human rights and democratic principles is fundamental to the European Union, whose Member States have been to the forefront in codifying and enforcing international standards for human rights,
- M. whereas human rights issues remain a subject of concern to the general public, as witnessed by the large numbers involved in citizens' associations dedicated to human rights promotion in every corner of the globe,

⁽¹⁾ OJ C 166, 3.7.1995, p. 59.

⁽²⁾ OJ C 61, 28.2.1994, p. 89.

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- N. whereas widespread abuses of the most fundamental rights continue in over half the world's countries, including extrajudicial executions, disappearances, the practice of torture, arbitrary detention and political persecution,
- O. whereas international mechanisms for responding to serious breaches of human rights need to be reinforced, in view of the fact that the obligations which states have entered into under the International Covenants are often flaunted without fear of legal sanction,
- P. reaffirming, in this connection, its firm belief that the setting up of an independent, fair and effective International Criminal Court constitutes a basic means of ending the impunity enjoyed by those responsible for genocide, crimes against humanity and war crimes,
- Q. whereas the Commission should make the partner countries of the Union in particular aware of the fact that accession to an international agreement is not synonymous with observance of human rights,
- R. whereas the EU's moral authority in pressing for stricter standards abroad directly depends on the respect of stricter standards at home, especially towards the citizens of third countries;
- S. whereas it has welcomed the enhanced provisions on human rights in the Treaty on European Union as revised at Amsterdam, which *inter alia* will enable measures to be taken against a Member State in the event of a serious and persistent breach of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law,
- T. whereas it has successfully sought the inclusion of human rights provisions in the EU's external agreements, with the result that these have become a normal element of agreements with third countries or groups of countries,
- U. whereas it will not hesitate to withhold its assent from international agreements which do not contain appropriate human rights provisions,
- V. whereas interventions by parliamentarians in individual cases have often had a positive outcome, and remain an important aspect of the Parliament's contribution in relation to human rights,
- W. whereas it will continue to call attention to human rights abuses in its debates and resolutions,
- X. whereas it has launched many initiatives in support of human rights, for instance in relation to the prevention of torture, the abolition of capital punishment, and the promotion of the rights of women,
- Y. whereas it has actively promoted the concept of conflict prevention, the importance of which has again been underlined by recent events in Kosovo and elsewhere,
- Z. whereas it recognises that the promotion of human rights and democracy requires financial resources, is committed to the creation of adequate funding for this purpose and has in recent years achieved a substantial increase in EU funding for this purpose,
1. Solemnly affirms its resolve to continue to campaign for the full respect of all human rights of all the world's citizens, and its commitment to the universal values which inspired the Universal Declaration of Human Rights;
 2. Calls on all countries which have not ratified the two UN Covenants and the other major international treaties on human rights, such as the Convention on the Elimination of all forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Elimination of Racial Discrimination and the Convention against Torture, to do so promptly; calls also on all member states of the Council of Europe to ratify and implement the Convention on the Protection of Human Rights and Fundamental Freedoms;
 3. Points out that ratification is not sufficient: the above international human rights conventions must be observed and enforced, which means implementing the monitoring arrangements contained therein and, where necessary, imposing appropriate sanctions;
 4. Welcomes the adoption this year of the statute of the International Criminal Court, while regretting the limitations agreed, and calls on all countries to ratify the statute quickly and without recourse to the provision concerning a seven-year opt-out;

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5. Calls on the Council, the Commission and the Member States to guarantee coherence, as regards human rights, between the internal and external policies of the EU, with particular reference to freedom, security and justice;

6. Calls for an international effort to bring about a 'millenium amnesty' for all those unjustly imprisoned and particularly for non-violent political prisoners;

On media and human rights

7. Regrets the fact that in many countries, including a number of Member States of the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE), freedom of expression and the profession of journalism are threatened by the use of oppressive press laws, military tribunals, arbitrary detention, criminal prosecution for defamation (with no possibility of defence), leading in many countries to an atmosphere of fear and self-censorship;

8. Recalls that respect for freedom of expression is an intrinsic part of the respect for human rights which is now an essential element in external agreements and recommends that the Commission draw up a detailed list of the rights it considers to be covered by the human rights clause in such agreements;

9. Insists that clear operational criteria be developed for decisions to suspend agreements, not only for the Lomé Convention in Article 366a, but for all international agreements;

On the death penalty

10. Reaffirms its commitment to the complete abolition of the death penalty around the world;

11. Condemns the fact that, last year, executions took place in at least 40 countries and people were under sentence of death in at least 70 countries and that, in 1996, at least 4272 prisoners were executed in 39 countries — despite the fact that capital punishment is well known not to work as a deterrent to crime;

12. Regrets the withdrawal of Jamaica the First Optional Protocol to the International Covenant on Civil and Political Rights, the withdrawal of Trinidad and Tobago from the American Convention on Human Rights, and the renewed use of capital punishment this year in a number of countries, and regrets the reintroduction and frequent use of the death penalty in many US States, a practice which undermines the moral leadership of the great democracy which is the United States;

13. Welcomes the initiative of EU Member States in proposing an international moratorium on the death penalty, as a first step towards abolition;

14. Reaffirms its view that a country which retains the death penalty may not become a member of the EU and draws attention to the declaration appended to the Amsterdam Treaty on the death penalty;

On refugees

15. Takes note of the UNHCR annual report for 1997/1998, which states that there are over 13 million refugees in the world, almost five million internally displaced people and over three million returned refugees, and that the UNHCR is concerned with the welfare of over 23 million people worldwide;

16. Calls for enhanced international efforts to establish the rights of refugees and to assist towards their possible reintegration in their former homelands and in the countries where they have obtained the right of asylum;

17. Expresses its serious concerns about the continuous flow of reports about maltreatment of refugees and asylum seekers in the Member States of the European Union;

18. Welcomes the Council's decision to create the Asylum and Migration Task Force and calls for a just and humane policy on asylum seekers and refugees throughout the European Union which complies with and complements the Geneva Convention on Refugees;

19. Calls on the Member States to reduce the period between the request for asylum and the decision taken on each case, to improve the conditions of detention and to provide for more humane conditions for expulsions;

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On minorities

20. Notes that many of the most violent conflicts around the world in recent years have involved problems related to minorities;
21. Will draw up a definition of minority rights in order to lend greater weight to its policy;
22. Calls for a redoubling of international efforts to end large-scale discrimination against religious, national, linguistic or ethnic minorities and to help resolve inter-ethnic conflicts;
23. Calls for greater recognition and protection of communal rights, and in particular of the rights of indigenous peoples;
24. Calls for long-term programmes and activities to promote tolerance and reconciliation through education and dialogue;
25. Calls for the strengthening of international monitoring mechanisms in relation to minority rights;
26. Stresses the importance of EU support for the just treatment of minorities in Central and Eastern European countries, in strict observance of fundamental rights and freedoms and the principles of equality and citizenship and without undermining their identities, particularly in candidate countries;

On the observance of children's rights

27. Welcomes the Austrian Presidency's emphasis on children's rights and calls for concerted action to combat sex tourism and to prosecute those involved in the sexual exploitation of children;
28. Expresses its support for the international campaign to end the use of child soldiers and to protect children from the effects of warfare, and to set a minimum age of 18 for recruitment into armed forces and participation in armed conflicts;
29. Supports the actions of the ILO and other organisations seeking to eradicate exploitative child labour;
30. Reiterates its support for campaigns to end child labour and to assist street children and stresses the need for measures to be promoted which will help to ensure that such children receive an education;

On measures to halt violence against women

31. Reiterates its call for rape in wartime to be treated as a war crime, not least in view of the large numbers of rapes committed during the Rwandan genocide of 1994 and during the conflicts in the former Yugoslavia;
32. Condemns violence against women, whether domestic or outside the home, as a despicable remnant of more barbaric times;
33. Calls for concerted efforts to end the abhorrent practice of female genital mutilation;
34. Unreservedly condemns the draconian restrictions imposed on women and girls by the Taliban regime in Afghanistan;
35. Calls on the Council and Commission to actively promote non-discriminatory legal reforms in relation to property rights and inheritance laws in all countries;

On the trade in human beings

36. Calls for vigorous measures to be taken against trafficking in human beings and the sexual exploitation of children;
37. Calls on the Commission, the Council and the Member States to increase their efforts to eradicate the phenomenon of trafficking in women for the purpose of sexual exploitation, a crime to which many women from third countries fall victim;

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On international financial institutions

38. Deeply deplores the devastating social consequences of Third World debt;
39. Insists that recent developments in Asia and Russia have shown that democracy, the rule of law and respect for human rights are essential elements for the development of a sound economic base;
40. Calls on the Council and the Commission actively to promote a reform of the international financial institutions in order to achieve greater transparency in market movements and stronger supervision of financial markets;
41. Calls on international financial institutions to incorporate respect for fundamental social, cultural, economic, civil and political rights into their activities, in particular their structural adjustment policies;

On the social clause

42. Reiterates its firm support for just social standards in economic activity and its commitment to participate in the effort to combat the exploitation of labour around the world;
43. Calls on the Commission to increase its efforts in order to secure an agreement in association with the ILO on minimum social standards and to take effective action to combat child labour;
44. Calls on the Council and Commission to support the establishment of effective and adequately funded monitoring mechanisms in respect of issues such as forced labour, child labour and other exploitative practices, so that the international community may prevent or respond effectively and quickly to serious and systematic violations;
45. Expresses its support for the current efforts under the auspices of the ILO to establish mechanisms which guarantee rights codified both in the Universal Declaration of Human Rights and in a series of ILO Conventions, especially as regards the prohibition of 'zones franches' in which minimal social norms and fundamental rights are not respected;
46. Welcomes the Commission's proposals linking preferential GSP treatment to the observance of certain standards;
47. Recalls that the signal effect of a decision such as the withdrawal of GSP for certain Burmese products is substantial, and may be more significant than the material effect;

On codes of conduct for businesses

48. Rejects the contention that the introduction of a code of conduct obliging EU-based companies to observe human rights norms in their operations in third countries is not possible within Community law as it stands, given that the Council adopted a Code of Conduct for businesses active in apartheid South Africa as long ago as 1977;
49. Recommends that a Code of Conduct for European Businesses should be mandatory and comprise existing minimum applicable international standards:
- the ILO Tripartite Declaration of Principles concerning MNEs and the OECD Guidelines for Multinational Enterprises;
 - in the field of labour rights: the ILO core conventions;
 - in the field of human rights: the UN Declaration on Human Rights and Covenants;
 - in the field of minority and indigenous peoples' rights: ILO Convention No 169, Chapter 26 of Agenda 21, the 1997 Draft Declaration of Rights for Indigenous Peoples, the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities;
 - in the field of environmental standards: the UN Convention on Biological Diversity, the Rio Declaration and the Commission proposal for the development of a code of conduct for European logging companies (COM(89)0410);

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- in the field of security services: Common Article 3 of the Geneva Conventions and Protocol II, and the UN Codes relating to law enforcement officers and on the use of firearms;
 - in the field of corruption: the OECD anti-bribery convention and the Commission's communication on legislative measures against corruption;
50. Calls on businesses to go further and adopt even stricter rules on a voluntary basis and encourages the public to demonstrate its concern by way of its consumer behaviour;
51. Expresses its satisfaction at the adoption on 18 June 1998 of the ILO Declaration of Fundamental Principles and Rights at Work and the follow-up thereto, and calls for it to be made an integral part of all further agreements with third countries;
52. Reaffirms its support for the creation of a 'Social Label';
53. Welcomes the adoption by many private sector companies of voluntary codes or business principles, and in particular the agreements in the EU footwear and textile and clothing sectors, in relation to matters such as forced labour, child labour and freedom of association;
54. Calls on the Commission to conduct a detailed examination of the existing codes of conduct on human rights for businesses and to present a draft code for companies based in the EU during the course of the next parliamentary term;
55. Calls on the Commission to take into account the experience gained from existing voluntary codes of conduct relating to human rights and to consider, with the business community, the extension of such codes to other sectors;
56. Calls on the Council to develop a joint position on voluntary codes of conduct, on the lines of the code of conduct for arms exporters, taking due account of the fact that 'self-policing' is not always the answer;
57. Recommends joint initiatives by governments and the private sector in the creation and implementation of codes of conduct, and welcomes the role of the European Union in sponsoring agreements between labour and management on standards;
58. Stresses that long-term benefits derive from the adoption of best practices (as opposed to the simple compliance with existing legal norms, which in some countries may be rudimentary) with respect to environmental, health and social standards;
59. Recalls that the existence of freedom of information, an independent judiciary, a just legal system and an effective, incorrupt public administration is conducive to inward investment;
60. Urges the private sector to take a more pro-active approach in relation to the right of employees to freedom of expression and to freedom of association;
61. Urges the Commission and the Council to seek the adoption of common principles on business practices by the UN and other relevant organisations such as the OECD, and to actively encourage both sectoral codes and codes for major companies;
62. Calls on the Council and Commission to help develop the international capacity for the external monitoring of such codes;
63. Calls on the Commission to report on the procedural and legal aspects of sanctions against firms who have been involved in the abuse of human rights in third countries, and on the possibility of making respect of human rights in third countries a condition of an enterprise's eligibility for public funding and for participation in public contracts;

On inter-institutional cooperation

64. Recalls that a number of the Parliament's proposals in favour of an active and coherent EU human rights policy have been realised over the years;
65. Advocates the speedy adoption of the Council Regulation concerning the legal basis for the promotion of human rights and democracy by the European Union;

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66. Calls for the full implementation of the recommendations formulated in its earlier resolutions on human rights in the world;
67. Notes that the greatest steps forward at EU level have come where there has been a consensus between the Parliament and the other institutions, one example being the creation of budgetary funding for democratisation programmes;
68. Calls on the Council to pay due attention to the Treaty stipulations on the promotion of human rights in its participation in Association Council meetings, in meetings with regional groupings, such as the San José group, the Gulf Cooperation Council, ASEAN, Mercosur and the ACP States, and in multilateral fora such as the UN, the WTO, the OSCE and the Council of Europe;
69. Recommends steps to enable an enhanced participation by representatives of civil society in the workings of intergovernmental structures such as Ministerial Councils and of interparliamentary structures such as Joint Parliamentary Committees, the EU-ACP Joint Assembly, and other interparliamentary meetings;
70. Calls for the establishment of a Human Rights Forum, empowered to make recommendations on the human rights dimension of EU policies and to evaluate the EU's human rights-related activities; the Forum should include experts from international organisations, NGOs and the academic world as well as representatives of the Parliament, Commission and Council;
71. Considers that the 'European network for human rights and democratisation' proposed by Parliament should be established as quickly as possible;

On the Annual Memorandum on human rights activities

72. Welcomes the Council's Memorandum to Parliament on human rights activities as an important element of inter-institutional dialogue;
73. Calls for future Memoranda to be submitted at a fixed time, early in the year, to contain greater detail and to include an analysis of the impact of the Council's activities;
74. Recommends that the annual presentation of the Council Memorandum and the Commission report on the human rights situation in the world be linked to a debate on the human rights situation and the submission of a report on the subject;
75. Welcomes the explicit mention of individual cases and calls for future Memoranda to comment on the status of the individuals named in European Parliament urgency resolutions adopted in the year in question;
76. Welcomes the publication in May 1998 of a summary of the report drawn up in the framework of the CFSP on the human rights situation in the Occupied Territories, and calls for all such reports to be made available in full to the European Parliament;

On the flow of information from the Commission

77. Reiterates its call for the regular and timely presentation of clear and comprehensive information on all human rights and democratisation projects;
78. Recommends the establishment of a comprehensive list of such projects to be forwarded annually by the Commission to the Parliament at an early stage in the annual budgetary process;
79. Recommends that the Commission should regularly inform the Parliament of the status of individuals named in Parliament resolutions;
80. Recommends an inter-institutional agreement acknowledging Parliament's right to seek specific information on human rights from the Commission and Council, as a first step towards the establishment of systematic reporting mechanisms on human rights;

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81. Reiterates its request to the Commission and the Council that they should provide information on the activities of the Member States in relation to human rights and democratisation, as a first step towards the better coordination of activities across the Union;

82. Calls on the Commission to develop and exploit the potential of the world wide web for the promotion of human rights and democracy throughout the world;

On an annual report on human rights worldwide

83. Reiterates its call for a comprehensive, detailed report on the human rights situation in all countries in the world to be published annually by the Commission and for the necessary personnel resources to be provided to allow this to be done effectively;

84. Recommends that the report should also address the human rights situation in EU Member States, as an expression of the universality of our commitment to human rights and democracy, and in view of the provision of the Amsterdam Treaty for responding to serious and persistent breaches of human rights;

85. Calls for the global report to include a comment on the constitutional status of each country and a judgement on whether the situation has improved, remained stable, or deteriorated in the past twelve months; and to specify whether each country has ratified international human rights legal instruments, and whether it has fulfilled the reporting obligations involved;

86. Calls for the global report to comment on evidence or allegations of serious violations of fundamental rights, such as the right to physical integrity, to a fair trial, to free speech, to freedom of association, to religious freedom, and to freely choose a Government; and to address, where appropriate, the situation of vulnerable groups, such as women, children, and religious, national, linguistic or ethnic minorities;

On support for democratisation

87. Reiterates its support for providing EU assistance for the improvement of public administration and legal and judicial systems;

88. Reiterates its support for the provision of political, moral and financial support and information to assist activities of NGOs in favour of human rights and democratisation, particularly in the countries in which most problems occur, given that the development of civil society is a crucial element of democratisation;

89. Calls on the Commission to overcome the opposition of some governments to EU support for human rights organisations and, in general terms, to give a higher profile to support for these organisations in the countries concerned;

90. Calls for particular efforts on behalf of human rights and democratisation and the rights of minorities in countries applying to join the EU;

91. Calls on the Council and Commission to set out clear criteria for distinguishing between fair and flawed elections;

92. Calls on the Council and Commission to ensure that military coups will be met with an automatic re-evaluation of political relations, including consideration of the suspension of aid programmes;

93. Stresses the importance of EU measures to support electoral process and to allow comprehensive and effective election monitoring, and welcomes the recent Council document setting out guidelines for election monitoring;

94. Calls for sufficient financial resources to support electoral processes to be entered in the budget;

95. Stresses the importance in this context of fair access to media and of scrupulous respect of the right of freedom of expression;

96. Calls for a clear definition of the point at which a state exceeds the legitimate needs of public order and defence, and calls on the Council, Commission and the Member States to withhold assistance to regimes which devote excessive resources to military hardware;

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97. Urges steps to ensure that the development of the information society does not accentuate inequalities in economic and political power and in the respect of human rights and democracy between rich and poor, whether at the international level or within countries;

98. Welcomes the adoption this year by the Council of a Code of Conduct on Arms Exports and calls for this Code to be strengthened and made legally binding;

99. Commends the adoption by the Council on 7 May 1998 of a Common Position stipulating that funds held abroad by the Federal Republic of Yugoslavia and the Serbian Governments be frozen, and calls for similar measures in future against states which seriously violate human rights;

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100. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States of the Council of Europe, Secretary-General of the Council of Europe, the United Nations Secretary-General and the governments of the other countries named in this resolution.

10. Human rights in the European Union

A4-0468/98

Resolution on respect for human rights in the European Union (1997)

The European Parliament,

- having regard to the Universal Declaration of Human Rights,
- having regard to the United Nations Covenants on civil and political rights and on economic, social and cultural rights and the protocols thereto,
- having regard to the United Nations Convention on the elimination of all forms of racial discrimination,
- having regard to the United Nations Convention on the elimination of all forms of discrimination against women,
- having regard to the 1951 Geneva Convention and the 1967 Protocol relating to the status of refugees, as well as the recommendations of the UNHCR,
- having regard to the Convention on migrations in abusive conditions and the promotion of equality of opportunity and treatment of migrant workers (Geneva, 1975),
- having regard to the United Nations Convention on the Rights of the Child (New York, 1989),
- having regard to fundamental human rights, guaranteed by the constitutions of the Member States and the European Convention for the protection of human rights and fundamental freedoms (ECHR) and the protocols thereto,
- having regard to the 1987 European Convention for the prevention of torture or inhuman or degrading treatment or punishment,
- having regard to the principles of international and European law relating to human rights,
- having regard to the past decisions of the European Court of Human Rights,
- having regard to opinion 2/94 of the Court of Justice of the European Communities of 28 March 1996 on the accession of the European Community to the European Convention for the protection of human rights and fundamental freedoms,
- having regard to the Community Charter of fundamental social rights,
- having regard to the Treaty establishing the European Community,
- having regard to the Treaty on European Union,