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ON BEHALF OF THE EUROPEAN UNION**

**55TH SESSION OF THE COMMISSION ON HUMAN RIGHTS
(GENEVA, 22 MARCH - 30 APRIL 1999)**

**AGENDA ITEM 9:
QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD**

GENEVA, 31 MARCH 1999

I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the Union - Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia - have expressed the wish to align themselves with this statement.

In a couple of weeks, the Amsterdam Treaty will enter into force. This Treaty will clearly reaffirm that the European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law. The Treaty further states that the objectives of the Union's Common Foreign and Security Policy include the development and consolidation of democracy and the rule of law, respect for human rights and fundamental freedoms, the preservation of peace and strengthening of international security, and the promotion of international cooperation.

The EU thus maintains an in-depth human rights dialogue with a number of countries. This includes countries of Central and Eastern Europe in the context of the accession process, Mediterranean countries in the Barcelona process, other countries within the framework of Partnership and Co-operation Agreements, and individual countries of particular importance to the Union.

The respect and promotion of human rights are also obligations under international law. Thus, implementation of the human rights conventions is a common concern that we share with other states.

Making human rights, democracy and the rule of law a central feature of the way we define ourselves and of our policies is, first of all, a moral statement stressing the worth and dignity inherent in every human being. It obliges us to promote human rights through our assistance programmes and our political contacts. It also obliges us to speak out against the violation of human rights and human dignity, and to raise our dismay with those who ultimately bear the responsibility for redressing problems: the Governments concerned.

Moreover, making human rights a core element of our policy is a statement underlining the crucial role that human rights play in the shaping of our societies and, indeed, of our global village. A closer look at the situation in many countries proves that we were right in Vienna when we unanimously expressed our conviction that human rights, democracy and development are interdependent and mutually reinforcing, and that the promotion of human rights also improves the prospects of peace and security.

Today, as the world sets out to maximise the benefits of globalisation and to master its pitfalls, we realise again that we cannot do without human rights. The globalisation of markets and of information needs to be matched by a global framework that preserves, respectively restores, the centrality of human worth and dignity as the source and the purpose of all our efforts. Human rights, democracy, the rule of law, tolerance, civil society and accountable institutions that work for justice and for the well-being of their people are essential components of this global framework. They are in every single person's and every State's self-interest. They are indispensable building blocks of our common house. The EU believes that, with regard to human rights, the right to life, and consequently the abolition of the death penalty, is one of the cornerstones of this common house.

If freedom from fear and want is what we are aiming for, then we must be clear that the obligation to promote social justice, to address people's basic needs, to eradicate poverty, to eliminate discrimination and exploitation, to preserve the environment and to deal in a responsible manner with the possibilities opened by scientific progress are also among the

necessary building blocks. The diversion of scarce budgetary resources into excessive military spending, the persistence of unjust property laws, exploitation at the workplace particularly of women and children, racial or social discrimination, and the destruction of our common environment can do as much as repression and arbitrariness to humiliate, hurt and even kill. Here, too, prevention is necessary, through the strict application of human rights and labour standards, but also through stronger involvement of relevant actors within civil society, such as NGOs, enterprises and trade unions.

The EU is conscious of the fact that such efforts are incumbent upon all of us. In particular, the principles enshrined in the aforementioned Amsterdam Treaty are binding on present and future members of the EU. In the light of racist, xenophobic and other abominable and often violent attitudes in our own societies, in the light of social problems, of shortcomings in our judiciaries and in Law enforcement, the European Union, despite existing safeguards, is constantly reminded that in the field of human rights there is no room for complacency. It is in this spirit that I now proceed to raise areas of concern that need to be addressed - in our common interest.

With regard to situations in the **Democratic Republic of the Congo, Sudan, Iran, Iraq, Nigeria, East Timor, Burma/Myanmar and Colombia** on which the EU will take initiatives, I would like to reserve the right to address these situations in the introduction of the respective initiatives. The human rights situation in Israel, the occupied territories and the territories under Palestinian authority have been referred to in our statement on item 8.

Building peace

I would first like to address a number of situations where armed conflict imposes great suffering on all strata of the population. It is women and children who constitute the larger part of the civilian population, and as such they face tremendous difficulties, especially when displaced from their homes. The situation in Kosovo is the saddest proof of this statement. Mentioning such situations is not an end in itself, but an expression of the commitment of the EU to the rights of victims of armed conflict under international human rights treaties and humanitarian law. It also conveys our deepest sympathy for those affected by conflict and our resolve to assist in overcoming conflict.

As regards **Kosovo**, I would like to draw attention to the statements by the Heads of State and Government issued on 24 and 25 March at the European Council.

They reiterated their deep concern about the failure of the mediation efforts by the Contact Group. The common objective was to persuade the Government of the Federal Republic of Yugoslavia to accept a ceasefire in Kosovo and a political solution to the Kosovo conflict, in order to stop a humanitarian catastrophe in Kosovo. The draft agreement assures Kosovo a high degree of self-government on the basis of the sovereignty and territorial integrity of Yugoslavia, guarantees the individual human rights of all citizens in Kosovo according to the highest standards, envisages extensive rights for all national communities living in Kosovo and creates the basis for the necessary reconstruction of the war-torn region. The Government of the FRY, however, chose to reject all proposals.

Our engagement was and is not directed against the Yugoslav or the Serb population, nor against the Federal Republic of Yugoslavia or the Republic of Serbia. It is directed against the irresponsible leadership under President Milosevic. It is directed against security forces who cynically and brutally fight a part of their own population.

We are dismayed at the increasing number of confirmed reports on atrocities committed against Kosovo Albanian people, including local politicians. The victims have been mistreated, jailed, wounded or killed. The acts of violence have been committed by Serb security forces and by masked civilians, possibly members of paramilitary groups. The EU strongly condemns these crimes and demands that they be halted immediately.

Over half a million Kosovars are now homeless because of the repression carried out by Belgrade's security forces, many tens of thousands have been driven from their homes since the peace talks broke down.

We want to put an end to these outrages. And therefore, the most difficult decision to take military action to this end had, to our great regret, become unavoidable.

We cannot tolerate a humanitarian catastrophe in our midst. It cannot be permitted that the predominant population of Kosovo be collectively deprived of its rights and subjected to grave human rights abuses. We are ultimately responsible for securing peace and co-operation in the region, which will guarantee the respect of our basic European values, i.e. the respect of human and minority rights, international law, democratic institutions and the inviolability of borders. Nor can the international community tolerate crimes against humanity. Those now persisting with the conflict in Kosovo should not forget that the mandate of the Hague Tribunal covers Kosovo. They and their leaders will be held personally accountable for their actions. The European Union urges the Yugoslav leadership under President Milosevic to summon up the courage at this juncture to change radically its own policy.

Furthermore, the human rights situation in the whole of ~~Serbia~~ continues to give rise to concern. Following the adoption of the Serbian Law on Public Information in October 1998, several independent newspapers and radio stations were accused of violating the national interest and either closed down or severely fined. Academic freedoms are being curtailed by the Law on Universities, adopted in May 1998.

Problems in the FRY also arise from the threat against minority rights in other areas, in particular the regions of Vojvodina and Sandzak. Especially in the latter region social and political repression of the non-Serbian population continues to create a climate of intimidation and fear.

The European Union reiterates its position that the path toward a full integration of the Federal Republic of Yugoslavia into the international Community will only be open if the Yugoslav Government decides to pursue real democratisation and liberalisation of its political system. This includes in particular the full respect of human rights and the rights of persons belonging to minorities, revision of the electoral system, the entering into a dialogue with the opposition, freedom of the media and independence of the judiciary.

The European Union welcomes the progress made so far in implementing the Peace Agreement in ~~Bosnia and Herzegovina~~. Common institutions have been established and have been working for some time now. Key laws are now in place. Freedom of movement across the country has improved substantially. A fundamental reform of the media is underway and helping to create a more democratic society. Elections have demonstrated a growing trend toward pluralism and tolerance.

But much remains to be done. The European Union is particularly concerned about the lack of independence and impartiality of the judiciary in both entities. As emphasised at the Peace Implementation Council in Madrid, a top priority for 1999 will be to continue to establish the rule of law. This is a prerequisite for a lasting peace in Bosnia and Herzegovina. In particular,

the decisions of the Human Rights Chamber and the Commission for Real Property Claims must be fully implemented and the final decision on Brcko must be respected.

Return-related violence continues. The response of local authorities and police to these incidents has often been inadequate. In this context, the European Union welcomes the refugee return plan endorsed in Madrid aiming at a comprehensive return of refugees and internally displaced persons to minority areas in 1999. It remains concerned with regard to ongoing frictions between the ethnic communities. Furthermore authorities in both entities and at the local level have not been forthcoming in the implementation of Annex VII of the Dayton Agreement. The European Union calls upon all authorities responsible to implement their commitments under the Dayton Agreement and to create appropriate conditions for an unrestricted and safe return to minority areas.

The European Union remains convinced that all indictees must be brought before the International Criminal Tribunal for the Former Yugoslavia (ICTY) and calls upon the authorities of Bosnia and Herzegovina and all relevant countries to co-operate fully with the ICTY, in particular to execute arrest warrants issued by the Tribunal.

The European Union is deeply concerned about the political and humanitarian situation in **Angola**. We are disturbed by the return to armed conflict and deeply regret the inescapable discontinuation of the MONUA peacekeeping operation. Since the resumption of hostilities, human rights abuses and breaches of international humanitarian law have drastically increased, especially in UNITA-controlled areas. A humanitarian catastrophe seems to be impending. The EU urges both parties to grant humanitarian organisations access to the civilian population in all areas of the country. The resumption of the use of landmines is of great concern to us, notably when directed against the population and access to food supplies. This must end. A new perspective for a just and lasting peace is urgently needed. Therefore, the EU urgently calls upon both sides to cease hostilities immediately and to enter into a meaningful political dialogue, in the course of which freedom of expression must be respected.

The EU was dismayed by the outbreak of armed conflict between **Ethiopia and Eritrea** and has repeatedly urged both parties to refrain from further violence and to renew their efforts in order to achieve a peaceful negotiated settlement of their conflict in all its aspects. The EU welcomes the efforts of the OAU High-Level Delegation to negotiate a peaceful settlement to the conflict and calls upon both parties to implement the OAU framework agreement without further delay. The EU has repeatedly condemned human rights violations committed in the context of this conflict, especially against nationals of the other country living within one's own borders, and minorities alleged to be disloyal, and urges both parties to respect international humanitarian law and human rights standards.

In **Burundi**, the situation remains highly precarious: rebel and army activities continue to claim a high number of civilian victims. Reports on both sides' involvement in massacres among civilians are cause for major concern. The EU notes with satisfaction that the Government of Burundi has decided to investigate events involving Army units and that responsible military leaders have been arrested. The EU urges the Government to proceed with these investigations and to prosecute the persons found responsible. At the same time, the EU urges both sides to refrain from violence.

The volatile security situation in different parts of the country has forced large parts of the population to leave their homes. Many internally displaced persons are struggling for survival.

The legal system in Burundi continues to be an area of major concern: 80 % of the detainee population is on detention pending trial. Many of them have been awaiting trial for years. Judicial procedures remain intransparent.

Political developments in Burundi by contrast have been more encouraging after the signing of a partnership agreement between the political forces in Burundi. The EU supports the Arusha peace-process politically and through substantial financial and technical contributions, in addition to bilateral contributions by its Member States. We support the important contribution by the UNHCHR Office in the country.

On ~~Rwanda~~, despite some reported progress, the EU remains concerned about continued human rights violations and the situation of a large number of internally displaced persons. Many among them are facing life-threatening living conditions. The EU encourages the government of Rwanda to continue to discuss its policy of resettlements in villages with the international community, as forced resettlements of populations constitute a violation of human rights.

The large detainee population awaiting trial is facing precarious living conditions. The EU has welcomed the decision of the Government of Rwanda announced last year to release 10,000 prisoners for whom no complete files could be established. While acknowledging the difficult situation in the wake of genocide and the legitimate concern over impunity, the EU encourages the Government of Rwanda to try to promote acceptance of this decision among the Rwandan population and its implementation.

The EU welcomes the adoption of a new bill by the National Assembly regarding the establishment of a National Human Rights Commission and calls for its rapid installation. We stress the importance of its independence, its effective functioning and its close cooperation with the UNHCHR. We encourage the government of Rwanda to cooperate with the UN High Commissioner for Human Rights.

The European Union remains deeply concerned about the fragile situation in **Sierra Leone**, and by the continuing atrocities by remnants of the junta and RUF forces, which recently tried to overthrow the democratically elected Government of Sierra Leone. The European Union strongly condemns these horrific actions and the involvement of child soldiers, as mentioned in the recent report. We urge full respect for human rights and an immediate halt to the senseless slaughter, mutilation and torture of the civilian population in Sierra Leone.

The European Union remains deeply concerned about the ongoing situation of conflict in ~~Somalia~~ in particular in the southern parts of the country, characterised by a lack of legal authority and the rule of law as well as by persisting acts of violence against humanitarian relief workers. The continued absence of a peaceful settlement remains the main stumbling block on the road to national reconciliation and reconstruction. In the context of the continuing absence of a central government, the EU calls upon all those recognised as being in positions of authority to respect the human rights of their fellow countrymen. In the view of the EU, it is incumbent on all Somalis to refrain from the use of force and to work towards establishing the conditions necessary for the reconstruction of a society in which the human rights of the population can be protected, and the will of the people respected.

With regard to the North of ~~Uganda~~ the EU remains deeply concerned about the ongoing abduction, killing and rape of civilians, many of them children, by rebel armies. The EU regrets to learn that Uganda Peoples' Defence Forces have also been accused of violations of human rights.

With regard to ~~Afghanistan~~, the EU remains deeply concerned about the continuing and massive human rights violations taking place. In the EU's Common Position of January 1999,

we have renewed our call to all parties to recognise, protect and promote all human rights and fundamental freedoms. We believe that these principles should be at the heart of the ongoing negotiations between the parties concerned.

The EU is deeply disturbed in particular at the grave and systematic violations of the rights of women and girls, which must stop immediately, as well as at reports of massacres in Northern Afghanistan last August. The EU looks forward to a thorough investigation, led by the UN, of reports of these and other massacres. We welcome the proposal of the UN Secretary-General to deploy international civilian monitors in Afghanistan to deter further human rights abuses.

The EU remains concerned about the human rights situation in **Kashmir** where, despite positive steps taken by the Indian Government, the situation is far from being normal. The EU encourages India to take all appropriate measures to stop human rights violations and other acts of violence. We call upon the Government of Pakistan to prevent armed infiltration across the line of control. The EU would like to stress the need for improvement of access to Kashmir for international and non-governmental organisations as well as for the UN Special Rapporteur on Torture.

The EU is concerned about growing religious intolerance on the Subcontinent, in particular about credible reports of religiously motivated cases of murder, assault and the destruction of places of worship. We encourage the Governments of **India and Pakistan** to continue to actively protect the rights of religious minorities. We call on the Government of Pakistan to prevent the misuse of blasphemy laws and to introduce legislation which would abolish the death penalty for blasphemy.

While recognising positive developments of the human rights situation in **Sri Lanka** the EU is still concerned about human rights violations such as disappearances, extrajudicial killings, arbitrary arrests and torture by paramilitary parties, armed forces and the police. The EU condemns terrorist attacks by the LTTE and other paramilitary groups against civilian targets. The use of child soldiers by the LTTE is reason for serious concern. We urge all parties in Sri Lanka to end the armed conflict and to make every effort to reach a negotiated and just settlement. Whilst welcoming the continuing efforts of the government of Sri Lanka to provide relief supplies to refugees in the Vanni, displaced by armed conflict, we remain concerned by reports indicating that food and medical supplies reaching these refugees are insufficient, forcing many of them to leave the region. We therefore call on the government of Sri Lanka and others concerned to immediately remedy this unacceptable situation. We also call on the government of Sri Lanka to strengthen the capacity of the Human Rights Commission of Sri Lanka to investigate and provide for the resolution of violations of human rights. In view of the upcoming provincial, parliamentary and presidential elections the EU would like to stress the importance of free and fair elections.

The European Union welcomes the progress made by the **Guatemalan** Government, with the help of the international community, to improve the human rights situation since the Peace Agreement was signed on 29 December 1996. The publication and intended widespread dissemination of the final report of the Commission for Historical Clarification in Guatemala represent an important step in the ongoing process towards the full implementation of the peace accords. The EU, whilst noting the Guatemalan Government's initial reaction to the report, is encouraged by the subsequent assurances as to the government's commitment to it. The Union urges the Guatemalan authorities to take all steps to implement the Commission's recommendations to the fullest possible extent in order to strengthen democratisation and to lay the foundations for true reconciliation in the Guatemalan society. Concerned about unresolved cases of violent crimes, in particular the murder of Bishop Gerardi, and human rights violations, the Union calls upon the competent authorities of Guatemala to renew

efforts to ensure a full investigation and to bring those responsible to justice. The Union believes that strengthening the judicial power will be essential to end impunity in Guatemala.

The EU welcomes the recent progress in the field of human rights in Peru, in particular the abolition of the system of "faceless judges", the establishment of an ombudsman, which led to the release of 300 prisoners, and the permission extended to the ICRC to continue its visits. At the same time the EU continues to be concerned about prison conditions and the rights of the indigenous population. We call upon the Peruvian government to ensure the independence of the judiciary.

Whilst it is extremely difficult to obtain a reliable picture concerning the situation of human rights situation in the **Democratic People's Republic of Korea (DPRK)**, which, unlike other countries, is sealing itself off almost completely from the outside world, it seems very likely, judging by some reports that violations of human rights are common and occur on a large scale.

On 2 December 1998 a first political dialogue meeting between the European Union and the DPRK took place in Brussels. The Union underlined its major concerns regarding the situation of human rights, in particular with regard to political prisoners, the absence of the rule of law, the DPRK's attempt to renunciate its obligations under the ICCPR and the grave humanitarian situation in general.

The need for democracy and the rule of law

As I said before, the EU is firmly convinced that democracy, the rule of law, tolerance, civil society and accountable institutions are essential building-blocks for just and stable societies. We stand ready to support efforts to build adequate institutions and capacities; on the other hand, we believe that neglect of, or worse, contempt for democracy and the rule of law, runs against the self-interest of Governments concerned.

In this sense, the European Union is concerned about deficiencies in the legal and judicial system in **Belarus**. We deplore state interference in judicial proceedings, with pressure being applied on judges, prolonged pre-trial detentions and are particularly troubled about prison conditions. We appeal to the government of Belarus to revoke regulations which curtail the right to freedom of expression and peaceful assembly and to resolve by democratic means the current constitutional dispute between the government and the opposition.

The majority of votes obtained by the ruling party in the parliamentary elections held in **Equatorial Guinea** on 7 March has to be considered as fraudulent. Already in the run-up to the elections the opposition was at a substantial disadvantage, since the date of the elections was not publicly announced until very shortly before they took place, the opposition not having access to media or means of financing a campaign. The European Union notes with satisfaction that the death sentences imposed by a military court against 15 Bubis last May have been commuted into life terms by President Obiang. We remain concerned, however, by continuing allegations of torture, dismal prison conditions and arbitrary arrests of family members of wanted suspects.

The EU urges civil and military authorities of the Government of **Zimbabwe** to respect human rights and fundamental freedoms, such as invulnerability of the human person and freedom of the media. In this respect the EU was deeply concerned about the recent arrest and

evident torture of two Zimbabwean journalists by military authorities and the Government's subsequent reaction to the court proceedings.

The European Union reiterates its concern about the current political and constitutional crisis in Haiti, as expressed in its declaration of 26 January 1999. It calls upon all sides concerned to enter into a constructive dialogue with the aim of consolidating democracy and due process of law in Haiti. The EU takes note of the nomination of a Provisional Electoral Council. A lasting solution to the crisis can only come about through elections conducted in a free, honest and open atmosphere. The EU strongly condemns attacks on human rights defenders and urges the authorities to fully investigate such attacks.

The EU seeks to encourage a process of a gradual and peaceful transition in Cuba towards democratic pluralism and a multiparty system, respect for human rights and fundamental freedoms. We call on the government to send a signal of its commitment by acceding to the two International Covenants on civil and political and on economic, social and cultural rights. The EU reiterates its appeal to the Cuban authorities to cooperate fully and constructively with all human rights mechanisms of the United Nations. The EU recognises that the Cuban government has taken measures to guarantee the freedom of religion enshrined in the constitution. The EU urges the Cuban authorities to take vigorous steps to grant the freedom of expression. We are concerned about some aspects of the law adopted on 16 February 1999 by the National Assembly penalising the exercise of the right of citizens to express opinions or to disseminate information. It reiterates its concern about the continued repression of members of the political opposition and about the detention of dissidents. We have learnt with great concern of the severe sentences imposed on the four members of the so-called Group of Internal Dissidence who have been accused of subversion, and the events surrounding the trial against them. In a recent declaration the EU has expressed its deep regret at these developments. In the view of the EU, they have solely exercised their right of free expression by peaceful means. An open and meaningful dialogue on all human rights issues would be in the best interest of the entire Cuban society.

The EU welcomes the improved cooperation of the Government of Algeria with international partners to gather information on the human rights situation in Algeria. In this context the EU recalls the reaction of the Government of Algeria to the findings of the United Nations Panel of Eminent Persons on the human rights situation in Algeria, which it sees as an expression of commitment to develop the rule of law, to ensure the respect for human rights and to consolidate the democratic process. The EU therefore encourages the Algerian authorities to implement the proposals made by the United Nations panel in its report. Its visit is not a substitute for co-operation with the procedures and mechanisms of the United Nations in the field of human rights. It is essential that the Government of Algeria co-operates fully with these mechanisms. The EU urges Algeria to facilitate early visits of UN human rights mechanisms, particularly the UN Special Rapporteurs on Torture and on Extra-judicial, Summary or Arbitrary Executions and to give full effect to the concluding observations of the UN Human Rights Committee. The EU condemns terrorist violence against the population and reiterates its solidarity with the Algerian people. While acknowledging the efforts undertaken by the Algerian authorities to protect the Algerian people against such terrorist attacks which have led to a marked decrease in the number of victims, we urge the Government to scrupulously adhere to human rights standards and means compatible with the rule of law in their fight against terrorism. The European Union continues to remain concerned over reports of involuntary disappearances, arbitrary detention and torture of detainees. Although the EU notes the efforts already undertaken by the Algerian authorities on the question of involuntary disappearances, it calls upon the government to invite the Working

Group on Enforced and Involuntary Disappearances to visit the country in order to reinforce that process.

The EU notes with satisfaction that in ~~Indonesia~~ significant improvements in the human rights situation have been achieved, as well as progress in the co-operation with the United Nations in the field of human rights. Prominent among these achievements were the ratification of the Convention against Torture, the visit of the Working Group on Arbitrary Detention, the lifting of restrictions on trade union organisations, the release of a number of political prisoners and significant progress in the freedom of expression, press and media. Despite these positive developments, the EU continues to observe with grave concern reports on violations of human rights, especially arbitrary detentions, extra-judicial killings, forced disappearances, torture and ill-treatment. The EU calls for full implementation of human rights instruments on the ground and for unconditional investigations of past human rights abuses.

The EU is also deeply concerned about the increased tension and violence in different parts of Indonesia. It is particularly concerned about reports of violence by the military in Aceh and the continuing inter-religious violence in the Moluccas. In the context of the latter the EU considers it important that the rights of all ethnic and religious minorities of Indonesia are fully respected. Especially in view of the June elections, it is vital that international human rights standards are respected and that all those with grievances, including the military, show restraint to avoid a further deterioration of the situation.

The EU has followed with great attention the political and human rights developments in ~~Cambodia~~, especially the national elections in summer 1998 and the subsequent formation of a new coalition government. The Union hopes that the political platform found by the major parties will constitute a good basis for the difficult tasks ahead. The EU notes that the recent surrender of two leaders of the Khmer Rouge movement and capture of a third brings to a close the de-facto disappearance of this movement. It calls upon the Cambodian government to ensure that the Khmer Rouge leaders responsible for genocide, crimes against humanity and serious violations of international humanitarian law should be held accountable for their actions in front of an independent tribunal. The EU encourages the Cambodian government to continue its co-operation with the international community on this matter.

The human rights situation in Cambodia in general continues to be of concern to the EU. In view of ongoing logging activities in provinces such as Rattanakiri and Mondulakiri the EU is particularly concerned over the effects on social and economic rights of ethnic minorities and the rural population in those areas. We urge the government of Cambodia to implement appropriate measures to ensure that such implementation of the freedoms laid down effects can be minimised. The EU continues to be gravely concerned at the problem of impunity and stresses the need for the Cambodian government to improve the in the Cambodian Constitution and for the formation of an independent Cambodian human rights commission. The EU underlines its support for the continuing work of the Cambodia Office of the UN High Commissioner for Human Rights.

The EU continues to monitor closely developments in the field of human rights in ~~Mexico~~. It takes note with satisfaction of measures taken by the Mexican government to promote human rights education for military, judiciary and law enforcement officials. It expects that these measures will lead to full respect for constitutionally guaranteed rights and will contribute to ending impunity and serious human rights violations, in particular torture, as well as to ensure the independence of the judicial authorities, including judges and prosecutors. The EU has learnt with concern about serious allegations of killings and disappearances. It stands ready to intensify its cooperation with Mexico with a view to improving the human rights situation, and welcomes the invitation extended to the UNHCHR to visit the country. The EU

encourages the Mexican government to continue to strengthen its efforts to end discrimination of indigenous peoples and to promote their enjoyment of human rights.

The EU welcomes the adoption of a non-discriminatory Reconstruction Programme by the Croatian Government as a positive step which is complementary to the Return Programme adopted earlier. However, progress concerning the return of refugees remains still slow. The necessary measures to make the Reconstruction Programme effectively operational for the persons concerned, i. e. through a nation-wide information campaign, have not yet been taken. Nor has there been significant progress in eliminating discriminatory legislation. The EU calls upon Croatia to abolish all discriminatory legislation with regard to the return programme and its implementation. The EU expects the continued implementation of the "Programme for the Establishment of Trust, accelerated return and normalisation of living conditions in the war-affected areas" with a view to promoting a favourable atmosphere for members of minorities to remain in the country, especially in the Danube region, and to the furthering of real reconciliation wherever possible. As to the democratic process, the EU calls upon Croatia to take adequate measures in the field of the media and the electoral law.

The EU remains concerned over continuing reports of widespread use of torture and of illegitimate restrictions on the freedom of expression in Turkey. Difficulties in prosecuting members of the security forces, who have allegedly committed acts of torture or ill-treatment, continue. The EU urges Turkey to fully respect the rule of law and international standards of human rights, in particular when fighting terrorism, and to implement the reforms in the field of human rights to which it has committed itself. The EU calls upon Turkey to continue its practice of respecting the decisions of the European Court of Human Rights.

Despite progress made, the EU remains concerned about the human rights situation in Syria, particularly arrest and detention procedures, prison conditions and lack of freedom of expression. Full information about detained persons should be given to their families or, in the case of foreigners, to their country of origin. We believe it to be in Syria's own interest to improve the country's human rights performance. We urge the Syrian authorities to engage in a dialogue on the human rights situation in the country and to take further concrete measures such as the release of political prisoners.

The EU continues to follow the situation in Cyprus with interest, and reaffirms that the status quo there remains unacceptable. There is a continuing need to intensify efforts to find a just, comprehensive and viable solution based on a bi-zonal, bi-communal federation in accordance with the relevant UN Security Council resolutions and the high level agreements. We fully support the good offices mission of the UN Secretary-General. The EU calls for the full respect of human rights and fundamental freedoms of the population of the whole island. It expresses its support for UNFICYP's continued efforts to implement its humanitarian mandate and for the activity of the UN's Committee on Missing Persons.

The situation in China, an important partner for our human rights dialogue, has recently suffered a grave setback. The crackdown on political dissidents in China, their detentions and the ensuing harsh court sentences have led to a series of demarches by the EU as well as other countries at the end of 1998. The punishment of democratic activists who have been engaged in activities covered by the UN Human Rights Covenants has generated serious concern in our public, parliaments and governments.

The EU certainly welcomes the positive signals sent out by the Chinese Government, mostly concerning co-operation with the human rights mechanisms of the United Nations. These signals include the signature of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the visit to China by the UN High Commissioner

for Human Rights, Mrs. Robinson, the visit to China by the UN Working Group on Arbitrary Detention and the invitation of the UN Special Rapporteur on Torture. We are further pleased that the EU Troika Ambassadors' visit to Tibet could take place. We welcome the recent improvement in Chinese legislation and notably the fact that China's National People's Congress recently has incorporated the rule of law into the Chinese constitution. The EU also recognises that living conditions of the vast majority of the Chinese people have rapidly improved in the past years.

The European Union encourages China to take concrete steps with a view to early ratification and effective implementation of the UN Human Rights Covenants. In the meantime the EU expects China to act in accordance with the fundamental spirit and principles of the Covenants.

As of now, the EU regrets that the general human rights situation in China is still far from meeting internationally accepted standards. With regard to the rule of law, the continuing and widespread practice of administrative detention, and the excessive use of the death penalty remain matters of particular concern to the EU. Restrictions on religious freedom, the lack of the right to free speech, the situation in Tibet and severe sentences in Xinjiang are further worrying us.

~~In Malaysia~~, the European Union remains concerned about continued illegitimate restrictions of human rights and fundamental freedoms such as the right of peaceful assembly and freedom of speech and opinion. The EU follows with interest the trial of the former Malaysian Deputy Prime Minister Anwar Ibrahim. The EU underlines the basic human right of all to a fair trial. The EU welcomes the announcement by the government of Malaysia to set up a national commission on human rights and hopes that it will be established and operate in accordance with the Paris Principles.

The EU continues to be disturbed by the situation of human rights in ~~Saudi Arabia~~ and remains particularly worried about reports on torture and other inhuman treatment, despite Saudi Arabia being a State Party to the UN Convention Against Torture. We urge Saudi Arabia to establish transparency and essential safeguards in criminal proceedings and to remove the barriers to freedom of expression and assembly. The EU is gravely concerned about the serious human rights violations against women in Saudi Arabia and repeats its call to Saudi Arabia for the improvement of the human rights of women in law and practice. We encourage Saudi Arabia to limit the use of the death penalty. We have taken note with satisfaction of some statements announcing improvements with regard to exercise of non-Muslim worship. We encourage the Saudi Arabian authorities to translate their words into deeds and at the same time remain concerned about the continuing restrictions in the field of freedom of religion. The EU welcomes some improvement in Saudi co-operation with United Nations human rights bodies, and calls upon Saudi Arabia to strengthen this co-operation, and to sign the two Covenants and other principal human rights treaties.

The EU hopes that this Commission will address the situations which I just mentioned, and any others that the Commission deems fit to examine, in a frank and open manner.

Let me say it again: Human rights are indispensable building blocks for just, peaceful and prosperous societies. The Vienna World Conference reaffirmed that human rights are the legitimate concern for the international community. As a consequence of this commitment, the EU will raise human rights concerns irrespective of the degree of friendliness of the relations uniting us with a particularly country. Accordingly, we will speak out in favour of human rights. Respect for human rights is not negotiable.