

EUROPEAN BACKGROUND INFORMATION COMMUNITY

EUROPEAN COMMUNITY INFORMATION SERVICE

2100 M Street NW, Washington DC 20037 Telephone (202) 872-8350

New York Office: 245 East 47th Street, New York NY 10017 Telephone (212) 371-3890

BACKGROUND NOTE

NO. 12/1977

April 5, 1977

A EUROPEAN COMMUNITY DECLARATION ON HUMAN RIGHTS

A declaration on fundamental human rights was signed in Luxembourg today by the President of the European Commission, the President of the European Parliament, and the President of the European Council of Ministers. The signing underlines the importance that the institutions of the European Community place upon human rights as they are defined in the constitutions of the Member States, and in the European Convention on Human Rights.

Fundamental rights are, in the first place, an essential part of the Community legal order. There are provisions in the Treaty of Rome, whose aim, or at least, effect, is to guarantee and improve the position of the individual in the Community. On the basis of some of these articles, the European Court of Justice has been able to give important judgements on the protection of fundamental rights.

It is a central belief of the Community that the individual citizen should be protected against the arbitrary use of official power, and although it is manifested in different ways, this basic aspect of democracy is present in the constitutions of all the member states. The Commission has consistently stated that there can be no democracy without the recognition and protection of human rights, and guaranteed freedom of the citizen, and it is because of this insistence on human rights within democracy, coupled with economic strength, that the European Community is proving able to influence the reestablishment of fundamental rights outside its own borders.

Because of its nature, and the ideals of its founding treaty, the Community has consistently refused membership by non democratic states. When the "Colonels" came to power in Greece in 1967, the Community "froze" its association agreement with Greece as an act of censure. One of the first acts of the democratic government of Greece when it returned to power was to seek full membership of the Community. It is no accident also that the government of Portugal, as part of its efforts to protect, and stabilize a fledgeling democracy, recently established after 48 years of dictatorship, should, as one of its first acts of foreign policy, formally apply for Community membership.

In both these cases, the attraction of the Community was twofold, Both the economic opportunity and well being that come from access to Community markets, and the politically stabilizing effect of belonging to a union of nations committed to democracy, drew Greece and Portugal toward the Community. Within the Community structure, the basic rights of the citizens of these countries will not only be better protected, but have also, a European dimension.

Spain, too, as she moves towards the establishment of a political democracy is being encouraged to do so by the knowledge that when this is achieved, she will be eligible for membership of the Community.

All three of these nations are important to the Atlantic alliance. Their stability and the freedom of their citizens is crucial to the stability of the world.

Thus, in the pursuit of its founding ideals, and its emphasis on human rights, the European Community shares with the United States part of the task of encouraging and protecting democracy and individual freedom around the world.