



PARLIAMENTARY ASSEMBLY UNION FOR THE MEDITERRANEAN

RECOMMENDATION

on the role of parliaments in protecting and promoting human rights - securing the safety of migrants in the Mediterranean - fighting terrorism

The Committee on Political Affairs, Security and Human Rights

1. Declares that ensuring an effective implementation of human rights is a vital corollary of a prosperous, democratic and peaceful area; reiterates that all governance levels from local to supranational should be involved in achieving this aim and calls for the introduction of a single Human Rights Protection Commission with the aim of improving knowledge of international and regional human rights instruments, which would be responsible for actively supporting and raising awareness of universal human rights principles and standards in the UfM Member States and throughout the Middle East, and for highlighting all rights violations, irrespective of the perpetrators;
2. Recalls that according to the Universal Declaration of Human Rights of 1948 that binds all UfM member countries, human rights include fundamental individual rights and freedoms, namely civil and political rights as well as social, cultural and economic ones; stresses the universal, indivisible and interrelated character of international human rights, respect for the primacy of rights established by democratic means, such as those laid down in international conventions, the fundamental nature of freedom of expression, assembly and association, the key role of civil society in promoting and protecting human rights, the importance and recognition of civil society's right to be an active partner in this process, gender equality and the importance of actively promoting women's rights;
3. Stresses that women's rights are an integral part of human rights and calls on UfM Member State national parliaments and the European Parliament to defend women's rights, to encourage women to take part in the political and economic decision-making process and, above all, to lead the fight against all forms of violence against women, and to involve men in this undertaking;
4. Emphasises the particular responsibility of parliaments in promoting and enforcing human rights and invites parliaments to swiftly ratify all relevant international human rights instruments, to incorporate human rights into their legislative work and to ensure that legislation and the implementation thereof comply with international law and standards;
5. Asks all parliaments to systematically address human rights violations publicly; to this end, invites parliaments to establish and improve specific tools including hearings, enquiry commissions, written and oral questions and reports; underlines the responsibility incumbent upon the members of national parliaments and the European Parliament in the promotion and protection of fundamental rights; it is also up to them to ensure that the education system favours a culture of human rights in society and to actively support and raise awareness of universal human rights principles and standards and to highlight all human rights violations, irrespective of the perpetrators;

6. Recognises the key role of the national parliaments in the protection of human rights and thus the need to widen inter-parliamentary cooperation in this area; the parliaments, along with their competent commissions and also the national institutions dealing with human rights, are a driving force in the fight against all types of discrimination, each within the framework of its mandate, its obligations and its jurisdiction, and must seek to establish joint programmes.

7. Recalls that human rights is a cross-cutting issue requiring a strong cooperation between all parliamentary bodies and with extra-parliamentarian actors; considers that civil society is a natural partner for parliaments to carry out a comprehensive oversight of the protection, promotion and implementation of human rights; to this end, encourages all parliaments to ensure a legal framework enabling civil society to operate freely, to set up mechanisms of cooperation, notably with national human rights institutions, and to aim at a more balanced representation of citizens in all their diversity and aspirations; where it is relevant, calls on the parliaments to monitor and respond to the situation of human rights defenders when they are at risk; in that regard, expresses its extreme concern over the restrictive laws being adopted in a growing number of countries concerning civil rights organisations;

8. Invites the parliaments concerned to seek to eliminate the restrictive laws concerning freedom of assembly and to comply with the recommendations of international human rights bodies;

9. Considers education as a fundamental force of progress and the best means for establishing the values of democracy and human rights in political life and in society; human rights education plays a crucial role in preventing attacks on human rights in the long-term, promoting reconciliation after conflicts that countries in the region may have suffered and creating a fair society in which everyone's rights are genuinely valued and respected; notes that in exerting their budgetary powers, parliaments should allocate more funds to human rights-oriented policies, notably through education and culture; urges the Union for the Mediterranean to implement projects already planned for education and citizenship; also encourages the establishment of a working group on Palestine within the framework of this Commission, in order to give support to the legitimate Palestinian demand for the recognition of a Palestinian State in accordance with the relevant UN resolutions;

10. Notes that the changes unfolding in the Mediterranean region reflect a profound and complex process that may have consequences for the security of people and countries of the region and beyond; we also note that these changes open up opportunities for development and cooperation and also increase the range of diverse and complex challenges, many of which are transnational in nature; recognises the need and importance of political stability and social economic development in the Mediterranean region, notably for the effectiveness of the fight against terrorism in the MENA region; expresses its deep concern that the armed conflicts in Syria, Libya and Iraq, and the still unresolved issue in the Sahelo-Saharan region and the humanitarian crises present a major threat to peace, security and prosperity for the whole region; therefore, strongly encourages UfM Member States to actively back current and prospective diplomatic efforts to solve these crises, such as support missions and political dialogue processes facilitated and coordinated by the UN; stresses the need to address the structural causes of immigration flows, and in particular the need to bring an end to the policies that lead to injustice, unemployment, poverty and insecurity;

11. Recognises the existence of a Euro-Mediterranean responsibility for the protection and safety of migrants and encourages efforts to ensure the safety of migrants in the Mediterranean, which must be subscribed to by all the European countries in cooperation with the states of the Maghreb and the Mashriq, together with Israel and Turkey; is concerned by the unacceptable number of deaths in the Mediterranean, which have made it the most fatal migration route in the world; calls on the UfM Member States to act immediately and effectively to put an end to this humanitarian catastrophe; condemns the violation of migrants' and refugees' human rights, particularly in relation to the failure to comply with the principle of non-refoulement, to ensure the fair treatment of migrants and the equitable processing of asylum applications; underlines that proposals should be made for safe and legal access to the EU both for asylum-seekers and migrants; nevertheless notes that rescuing migrants from the sea is not a sufficient solution per se, and that the UfM Member States must jointly attack the root causes, be them security-related, political or economic, which are forcing migrants to leave their countries, set up appropriate, efficient safeguards to prevent migrants from embarking on journeys in search of better lives and dismantle migrant trafficking networks;

12. Expresses its deep concern at the degrading security and humanitarian situation in Libya; reaffirms its utmost support for the UN-led talks conducted by the UN SRSG Bernardino León in order to seek a negotiated solution that will lead to the formation of a Libyan unity government; stresses that the Libyan crisis can only be resolved by means of a dialogue that is as inclusive as possible; emphasises that the EU should be ready to lend support to institutions in Libya as soon as a political solution and a ceasefire are found; stresses that the EU should contribute to a DDR and SSR effort in Libya, as soon as a unity government is inaugurated and at its request; warns, however, that in the event of a stalemate in the political negotiations and the increase of the armed conflict, the EU must stand ready to contribute to any UNSC-mandated peacekeeping intervention;

13. Stresses the crucial importance of attacking the root causes of mass migratory flows, combating the illegal trafficking of migrants, human trafficking and smugglers who are forcing migrants to take an increasing number of risks, in particular on board 'ghost' ships – the recent upsurge of which has cost many lives; notes that the UfM Member States' pledges to put an end to the migrant tragedies in the Mediterranean must reflect their commitment to the fundamental values of solidarity, human rights and human dignity;

14. Invites all PA-UfM parliaments to collectively reflect on formulating border management policies and to devise new avenues of safe and legal migration with a view to making irregular migration less attractive; stresses the need for origin, transit and hosting countries to further collaborate at technical and political level in the field of border control, humanitarian aid and law enforcement, while remaining committed to dismantling the illegal networks used to smuggle migrants and fight organised crime groups profiting from human trafficking and human smuggling; calls on the EU to adopt a mission within the framework of its Common Security and Defence Policy, combining both civilian and military components to tackle the situation in the Mediterranean aimed at (1) effectively leading search and rescue operations in the Mediterranean and (2) mounting an operation targeting traffickers' boats, ships and other assets and persecute traffickers and smugglers so as to halt their illegal activities and to bring them to justice;

15. Urges UfM members and UNHCR to join forces to better manage the increasingly difficult situation of asylum seekers by exploring ways to facilitate access to international protection for people fleeing persecution or serious harm in their own country, particularly

through the use of humanitarian visas; note that the concept of the humanitarian visas should be further explored from the procedural point of view;

16. Acknowledges the significant effort deployed by some UfM Member States in hosting refugees from Syria, Iraq and Libya; urges for more solidarity among UfM Member States, in particular EU Member states, in sharing the burden shouldered by these countries, for instance through the voluntary programmes on resettlement; considers that enhanced coordination among EU Member States with regard to their policies of support to refugees from countries with armed conflicts is needed to achieve better results, while reducing expenditure through a comprehensive integration of immigration and asylum policies within the dialogue among UfM members and the programming of development cooperation actions; urges EU Member States, particularly those with lower rates of refugee and asylum seekers' reception to immediately accept to resettle more persons in need of protection in their territories; Underlines that the ultimate goal should be the establishment of a genuine policy on migration that will focus on human rights, international law and the principle of solidarity. Urges the EU to support especially those states which receive the largest share of refugees and to promote a common system of asylum and equitable burden-sharing;

17. Strongly condemns the heinous terrorist attacks in Paris in January 2015, in Tunis in March 2015, in Brussels in May 2014, in Copenhagen in February 2015 and in other parts of the world, in particular in Nigeria, Kenya, Somalia, Yemen, Pakistan and Turkey; these attacks were targeted against fundamental values and human rights - freedom, including freedom of expression, democracy, human dignity, solidarity, tolerance and pluralism; warns that while states and citizens' security is a fundamental right, and urges UfM members to fully adopt the UN general assembly global strategy for the fight against terror of 2006, including the adoption of the "four pillars" upon which the counter-terrorism policy should lay: measures for the limitation and fight against acts of terror; measures for the build-up of counter-terrorism capabilities among member states and measures for following the rule of law and human rights while fighting terror; and also urges UfM to fully comply with Security Council resolutions for the fight against terror, including resolution 1373. In addition to the 19 instruments which were adopted, aimed at fighting different aspect of terror; notes that recent attacks in Paris, Copenhagen and Tunis demonstrate the global dimension of jihadist terrorism and raise the question of the terrorist threat with which Europe and the Mediterranean region are faced;

18. Stresses the need for a multilateral and regional approach to prevent and counter terrorism; to this end, asks for increased political dialogues between both shores of the Mediterranean and regional organisations aimed at developing capacity-building projects, closer police and judicial co-operation and improved border control; invites all the UfM member states to take the necessary measures to ensure an effective implementation of Resolution 2170 and Resolution 2178 of the UN Security Council;

19. Decides to put human rights as a standing item on its agenda to enable member parliaments to raise issues of common concern and to highlight all human rights violations, irrespective of the perpetrators; proposes a PA-UfM Conference to determine the wording of a Euro-Mediterranean Human Rights Charter; the PA-UfM could be assigned the role of guardian of this Charter;

20. Moreover, proposes the creation of a special internet platform for 'Euro-Mediterranean inter-parliamentary cooperation' inspired by the 'IPEX' online inter-parliamentary cooperation platform, for the exchange of information between PA-UfM parliaments.

