



Working with the European Union

OMCT has given importance to working with the institutions of the European Union (EU) in order to raise their awareness of the need to fight violence by acting on the economic, social and cultural root causes. OMCT also calls on the EU Parliament and Commission to act in cases where violations of economic, social and cultural rights lead to violence. This enables the voice of the EU to be added to that of human rights and development NGOs in urging effective action against those root causes.

Calls on the EU for action

Action files and other complaints are transmitted to the relevant bodies of the EU, in particular interested parliamentary committees. In October 2007, OMCT submitted information to the European Parliament's Subcommittee on Human Rights in connection with the Parliament's consideration of EU relations with Uzbekistan. In January 2008, OMCT submitted information on Egypt to that Subcommittee in connection with its discussion of the relations between the EU and Egypt. OMCT transmitted the Action File on Phulbari, Bangladesh to the Parliament and subsequently the Chair of the Committee on Development asked OMCT to provide additional information and to keep the Committee informed of future developments.

An OMCT Action File on serious human rights violations in connection with two major hydro-electric projects in Northern Sudan was submitted to the Parliament's Rapporteur on human rights violations deriving from China's investments in Africa, and a number of Action Files were transmitted to the Parliament in support of the seminar on Tackling Grand Corruption, National Resources and Poverty: Can the EU take the global initiative? held in May 2008. In addition, several Action Files and appeals were transmitted to members of the European Parliament in connection with the preparation of written parliamentary questions.

In connection with the European Union - Uzbekistan Human Rights Dialogue scheduled for May 2010, OMCT submitted a document containing the main points and conclusions and recommendations relating to the economic, social and cultural root causes of violence in Uzbekistan from OMCT's alternative report on that country submitted to the UN Committee Against Torture in November 2007.

Working with the European parliament

EU Parliament Annual Human Rights Report 2007

OMCT submitted a set of proposed amendments for inclusion in the EU Parliament's Annual Report on Human Rights in the World for 2007 and EU Policy in that Matter, in order to support the development of EU policy on human rights and to help EU Institutions focus more attention on the links between human rights violations and poverty, inequality and discrimination.

Most of OMCT's suggestions were included in the final text as adopted by the Parliament in Plenary. In particular, OMCT is pleased that the European Parliament has explicitly mentioned the principle

of indivisibility of human rights and has reaffirmed the importance of the principle of interdependence of human rights by recognising the need for a human rights assessment accompanying each impact analysis carried out by the Directorate General for Trade. ^[1]

The Parliament also adopted OMCT's amendment calling on the European Commission to ensure that the economic activities of EU private companies in third countries - in particular as regards the exploitation of natural resources - abide by international human rights standards, including the obligation to obtain the prior and informed consent of local communities and indigenous peoples affected.

The Report also incorporated OMCT's proposal to include a clear reference to facilitating visas in the special situation of human rights defenders in the new EU Common Code on Visas and to explicitly mentioning economic, social and cultural rights defenders within this category. Furthermore, the European Parliament also endorsed OMCT's proposal that the Council and the Commission should enhance the cooperation with the Council of Europe in order to create a "Europe-wide zone free from torture and other forms of ill-treatment, as a clear signal that European countries are firmly committed to eradicating these practices also within their borders."^[2]

Finally, the Committee on Civil Liberties, in its opinion submitted in relation to the Report, endorsed the paragraph suggested by OMCT calling on the EU to adopt a more holistic approach in addressing torture that takes into consideration a wide spectrum of possible measures aimed at eradicating torture, including prevention, assistance to victims and the fight against impunity. ^[3]

EU Fundamental Rights Agency

The European Parliament, in late 2007 and in early 2008, reviewed and amended the mandate and work programme of the new EU Fundamental Rights Agency. The original draft contained no reference to economic, social and cultural rights either as a basic human right or as a right the violation of which could lead to the violation of other rights, such as violence. Consequently, OMCT wrote to key Parliamentarians and suggested that the terms of reference of the agency be modified to include, "In its work the Agency shall seek to identify the economic, social and cultural factors that contribute to respect for the human rights [...] or which may constitute root causes of violations of those rights." OMCT's amendment was accepted by the Civil Liberties Committee of the Parliament in December and by the Parliament as a whole in January 2008. ^[4]

Unfortunately, the European Commission and EU Council failed to accept the Parliament's recommendations thus leaving economic, social and cultural rights outside the mandate of the agency. OMCT thus wrote to the Commission and Council urging them to reconsider the Parliament's recommendations both to ensure the protection of all the human rights of the citizens of Europe and to the strengthen EU's efforts to promote respect for human rights at the international level, particularly in the United Nations system.

EP's Resolution on the Philippines

In January 2009, OMCT was invited before the Sub-Committee on Human Rights of the European Parliament to make a presentation on the economic, social and cultural root causes of violence in the Philippines. On that occasion, OMCT has submitted to the Subcommittee detailed information on the subject, including recommendations for action - emphasising that the EU Institutions could have a key role in halting human rights violations and calling on the Members of the Subcommittee, along with EU relevant authorities, to use all EU instruments available to stop violence and torture in the Philippines and address their root causes.

Subsequently, on 12 March 2009, the European Parliament adopted a Resolution on the Philippines that reflects many of the concerns expressed by OMCT during its presentations before the Sub-Committee on Human Rights. In particular, the European Parliament recognised that violence in the Philippines is rooted on denials of economic, social and cultural rights, by stating that "in order to put an end to abductions and extrajudicial killings it is necessary to address the economic, social and cultural root causes of violence in the Philippines." As recommended by OMCT, the European Parliament also pointed out the crucial role that the European Union can play in helping address these root causes, by calling on the Council and the Commission "to ensure that the EU's financial assistance towards economic development in the Philippines is accompanied by scrutiny of possible violations of economic, social and cultural rights, with special attention being paid to encouraging dialogue and inclusion of all groups in society."

Field level contacts with the European Union

OMCT gives importance to contacts with the EU representatives in the field. The Head of Delegation of the European Commission in Mozambique addressed the opening ceremony of the African Regional Seminar in Maputo and a staff member of European Commission in Mozambique met with participants to discuss how NGOs can interface with the European Union, especially on the country level. Similarly, the Head of Delegation of the European Commission in the Philippines addressed the opening ceremony of the Asian Seminar in Manila and at a subsequent session he made a presentation on the European Union's (EU) policy on the eradication of torture with a particular focus on the EU's activities in the area of human rights and governance at the country level.

In addition, during OMCT's follow-up mission to the Philippines in November 2009, OMCT's team met with the EU Head of Delegation in order to examine from the EU perspective the implementation of the recommendations of the Committee Against Torture and the Committee on Economic, Social and Cultural Rights with regard to the Philippines. The discussion focussed on addressing the economic, social and cultural root causes of violence in the Philippines, progress being made and existing obstacles and how the EU activities could assist in addressing those root causes. This included a discussion regarding the above mentioned Resolution of the European Parliament that called on the EU "to ensure that the EU's financial assistance towards economic development in the Philippines is accompanied by scrutiny of possible violations of economic, social and cultural rights."

References

1. ^ European Parliament resolution of 8 May 2008 on the Annual Report on Human Rights in the World 2007 and the European Union's policy on the matter (2007/2274(INI))- Thursday, 8 May 2008 - Brussels, pp.128
2. ^European Parliament resolution of 8 May 2008 on the Annual Report on Human Rights in the World 2007 and the European Union's policy on the matter (2007/2274(INI))- Thursday, 8 May 2008 - Brussels, pp.50
3. ^ OPINION of the Committee on Civil Liberties, Justice and Home Affairs for the Committee on Foreign Affairs on the Annual Report on Human Rights in the World 2007 and the European Union's policy on the matter (2007/2274(INI))
4. ^ Multiannual Framework for the Fundamental Rights Agency for 2007-2012 - adopted on Thursday, 17 January 2008 - Strasbourg, Article 2, introductory part.

