



ACTIVITY REPORT

AEDH

2007-2008

AEDH

33 rue de la Caserne
1000 Bruxelles (Belgique)

Tel : +32 (0) 2 511 21 00

Fax : +32 (0) 2 511 32 00

Site Internet : www.aedh.eu

Email : aedh@aedh.eu

According to its constitutive charter and its status, the AEDH is based on the defence and the promotion of Human rights in the European Union.

The AEDH acts to make fundamental rights accepted as universal, indivisible and effective for all residents of the European Union and supports all the initiatives going in this sense.

In order to make these rights elaborated by and for the citizens, we advocate for:

- a democratic Europe in which citizens get a real power
- a Europe grounded on the respect of freedom of each and every person
- a Europe which maintains its concern for social equality
- a Europe respectful of the environment and engaged in sustainable development
- a Europe without discrimination
- a Europe open to the world and taking into account its international responsibilities

The AEDH claims the existence and recognition of a citizen counter-power.

In the past General Assembly of 8th September 2007, the priorities that were fixed were the following:

- Asylum and migration; boarder management: the conditions of passing over the boarders, the reception of the asylum seekers, the role of Frontex and the management of legal and irregular migration.
- The personal data processing: supervising on the one hand the personal data protection in all kind of data basis (PNR accords, biometrics...) and on the other hand the preservation of the integrity of the individuals.
- The circulation and the right of settlement respecting the equal rights of European citizens and their social and economic rights, especially as far as working rights and discriminations are concerned. We decided to focus on the situation in Bulgaria and Rumania, new members of the European Union.
- The intercultural and regional tensions following the year of the intercultural dialogue and including the subject of the linguistic minorities.

In the previous General Assembly some other priorities were fixed:

- the defence of European democracy and the European citizenship status;
- the asylum and migration in Europe and particularly the issues concerning the situation of women and the isolated minors;
- the struggle against any kind of discrimination, affecting working conditions, sexual orientation, handicaps or the whole roman population;
- the issues appearing with data transmission, data retention, biometrics or the proliferation of data basis;
- the protection of General Interest services and economic and social rights;
- the intercultural and religious relationships, the links within the public and the private field, the appeasement of conflicts and promoting the “working together”.

The AEDH will achieve its goals thanks to:

- a political and juridical supervision;
- interventions towards the European institutions;
- participation in the debates and collective action through the different European networks which fight for the respect of fundamental rights;
- developing and animating of our members networks;
- redacting press releases, reports and letters;
- the diffusion of information through new communication tools;
- material and human means

This activity report recounts all the actions leaded by the AEDH during 2007-2008. Although the human, material and financial help was weak, the support of the trainees, the executive committee, the members and the volunteers enabled the achievement of all the AEDH priorities.

I. Being present and acting within the European institutions

In order to lead its political supervision, to improve its influence and to be heard in the decision-making, the AEDH is in relation with the policy makers of the European Institutions.

Acting in the European Parliament

The European Parliament is one of the main intervention fields of the AEDH. It is where the organization is more visible. Even though the co-decision is not fully present in the European policy, the Parliament is already a privileged place of information and decision making where we increase our capacity to influence in the decision-making.

The Lisbon treaty will notably increase its powers, especially as far as the third pillar is concerned and will consequently improve our position.

We intervene directly besides the MEPs, MEPs assistants and the administrators who work close to the human rights.

We aim at getting involved in the Civil Liberties, Justice and Home affairs Committee, the Human Rights sub-Committee of Foreign Affairs.

Nevertheless, we try to be present in other Committees, like “Employment and Social Affairs”, “Internal market and consumer protection”, “Constitutional affairs”, “Culture and Education” or “Women’s Rights and Gender Equality” as soon as we are interested in the corresponding draft projects.

We entertain privileged relationships with some deputies. Specially the ones known by our members, the ones reporting on one of our priorities or the ones who share our same ideology. Thanks to those privileged links we will be able to be more influent in certain subjects.

Indeed, this year we worked on asylum and migration, data basis but also the difficult setting up of the Fundamental Rights Agency. We were also close to them in the redaction of one of its reports. We précised which themes and rights violations should appear as a priority for the agency.

By keeping alive all those regular and direct contacts, we beneficiate from the establishment of a confidence building with plenty of assistants, who give us an invaluable help.

Therefore, we maintain our critical and independent position without forgetting to respect the political responsibility of the MEPs.

Moreover, we rely on the help of the administrators of the different Committees, particularly from the Civil Liberties, Justice and Home Affairs Committee.

In fact, they follow all the working documents and participate in the redaction of their opinions and reports. They are also involved in the meetings between the Council, the Commission and the Parliament, where the compromise is most likely to be decided.

The links we have established with them enable us to be informed about the evolutions of the calendar and some sensitive documents like the return Directive.

They also gave us a hand in the edition of our reports on the situation in the retention centres of Greece, Netherlands and Poland, coinciding with the visit of the MEPs.

The Civil Liberties, Justice and Home Affairs Committee

The Civil Liberties, Justice and Home Affairs Committee is one of our main targets, as it is the place where the majority of our primary subjects are treated.

The trainees assist to all the Committee hearings and make an exhaustive review recovering the full debate.

More than 30 reviews were made this year and sent to the members of the executive committee.

It represents a valuable documentation that will be used to foster our thematic files and our web site.

The most of the time, the chairman of the AEDH assists personally to this Committee. It is a way to have a better understanding of the subjects which are targeted, to show our commitment and to acknowledge the moment and the place where it is possible to spread our beliefs and our critics, by oral interventions or by sending press releases.

It is also the place where we can find all the main actors in charge of the important files: representatives of the Commission, the council and lobbyist groups.

As an example, we have recently assisted to the opening speech of new Commissioner of Justice and Home affairs Mr Jacques Barrot, where he underlined the evolution of the legislative projects. As well as sending a newsflash to our members with all the successful information linked with his intervention, we realised how dangerous were his propositions and the view of the Slovenian presidency.

The tightening of the security policy and the will to adopt as quickly as possible (before the Lisbon treaty becomes effective) some sensitive files, like boarder or terrorism issues.

It was astonishing to compare the differences within the positioning of the two last presidencies of the Council, as the Slovenian one prefers to adopt the resolutions as quickly as possible, in order to avoid the Lisbon treaty rather than taking into account the quality of the projects.

Here appears a paradox between the weakness of the new projects and the willingness to adopt them in a hurry.

This disturbing way of working is closely related with alarming means:

- the increase of the boarder controls, by using shocking sentences heard in the committee like “the necessity to rely on modern means if we want to control the movement of the population”,

- the will to turn the “free movement” a way to allow the settlement of the desired people and forbid the entrance of the unwanted migrants,
- the intention of “profiling the unwanted people”, without any material and justified content.

Two terms use to enter into the debate: the fight against terrorism and the fight against clandestine migration.

Those two terms illustrate a whole European policy found in innumerable files: the Prüm treaty, now expanded in the whole European territory, the immigration policy , with the return directive, the police cooperation, Eurojust, the framework directive on combating terrorism, the retention and transmission of personal data, the data basis linked with the Schengen System of Information (SIS) and the Visa system of Information (VIS), the PNR accords which could soon become systematized for the intern flights...

We should not forget the disgraceful arising of directives linked with legal migration. Not only is it a moral issue, attracting the qualified labour force coming from southern countries, but it also implies a lack of economic relevance. As an example, we can observe the German policy failure trying to attract computer specialists from third countries.

The cumulating debates, added to the coming of the Lisbon treaty and the end of the legislature and the election of a new Commission in spring 2009 originate a tense climate between the representatives of the Parliament, the Commission and the Council.

The peak of tenseness is often reached when the issues of private life or individual freedom come into the debate.

Once we are informed, our goal is to share the information and communicate it to our members. As it is not enough to be just present in the Parliament, we have created an alert system guaranteed by our trainees and built around the daily consultation of institutional news.

Public hearings and conferences organized by political groups and MEPs

Committees, MEPs or political groups use to organize public hearings and conferences, which are always rewarding and formative.

As soon as we are available, we try to be present.

This year we were particularly concerned by two hearings:

- 18th October 2007: a conference entitled: **“Immigration: who exploits, has to pay!”** around the directive project “sanction of the employers coming from third countries during an irregular stay”.

The goal of this hearing organized by the socialist group of the Parliament and chaired by MEP Claudio Fava was to establish an exchange of views around the directive project.

Based on combating irregular migration, the directive project loses any legitimacy as the penal sanctions are not compatible with the EU competency.

However, the most sensitive point was forgotten during the debate: the payment of the return of the migrants by the employers and the ban any coming back from the migrants for 10 years.

What worries the AEDH is the position of the Commission asserting it does not imply any sanction against the workers, but is just the consequence of an irregular staying in the European Union.

As the people concerned are at least 6month long workers, they have to get all their rights back.

The AEDH is deeply concerned to refuse this directive as it does not target employers but exploited people.

The right answer to these issues was paradoxically given by the Portuguese Presidency referring to some possible solutions: the temporal staying permit and the regularization of the people who have collaborated to denouncing the employers.

- On the 12th of February, Manfred Weber (MEP of the PPE and reporter of the directive on common standards and procedures in Member States for returning illegally staying third-country nationals, better known as “**return directive**”) organized a round table with different NGOs and associations. If the NGOs agrees together to denounce the unacceptable measures foreseen and their non conformity with the international texts, they failed at changing the reporter’s mind and at introducing more “human” conditions for irregular migrants, especially when detention is concerned. This position is totally unacceptable for the AEDH and we clearly ask for giving up this project. Indeed, the EU can not sanction irregular migration without having defined first the meaning of legal migration. We have already written several press releases on this subject and we will keep going to be active until the end.

We assisted to many other **conferences and events**, this time without participating in them.

Nevertheless, it is a way to be aware of all the files in progress and learn from the different positions which are taken:

- On the 14th of February 2008 the green group of the Parliament organized the colloquium “**Managing Demographic Change in Europe – A Conference on Green Approaches**”, where the climate change was seen by the bright side, as a new opportunity to improve social life and social cohesion.
- On the 28th of February 2008, the **women day** enabled to remember the situation of the woman in Kosovo and underline again the precariousness of the women in the work market.
- On the 3rd of March 2008, a working group was created in order to organize a conference around the “**climate refugees**” and how it will have several consequences for the European Institutions.
- On the 6th of March 2008, a conference was organized by the Women’s Rights and Gender Equality Committee about “**the role of women in the intercultural dialogue**”. The European Parliament President, Hans Get Pottering stated that we need to promote the link between the role of women in society and the necessity to create a world full of solidarity and peace. The debate continued around the universal nature of the rights and the preference of using “interculturalism” rather than “multilingualism”.

- On March the 6th, the socialist group organized a conference aiming at fostering “politics in charge of the management of migration flows as soon as they are compatible with fundamental rights”. Once they regretted the generalisation of migrant’s administrative detention, they criticized the conditions of retentions found in prisons. Then, the debate focused on the boarder management proposed by the European Commission and on the evaluation of the corresponding agencies, such as Eurosur and Frontex. We totally supported the intervention of the Euro-Mediterranean network of defence of human rights denouncing the struggles suffered by sent back people in transit countries, where the migrants are neglected. In other words, what is disgraceful is how the EU transfers the “burden” of migration to third countries. The conclusion of the debate was also an opportunity to underline more concerns: the application of the Lisbon treaty, where the third pillar will be an European exclusivity but where the right of working (national) is separated from families right and the management of passports and identities (from now on they will need the agreement of the council). Good news were brought though by describing all the competences of the European Court of Justice in the third pillar. That is why the AEDH calls for the reporting until January 2009 of the examination of all the directives linked with irregular or legal migration, in order to defend the co decision process and legislative coherency.

Parliament, European citizenship and participative democracy all together: the Citizen Agora

Upon the initiative of European Parliament vice president, M. Gerard Onesta, the European Parliament has decided to put up all the needed money for the organization of meetings within different civil society groups in order to exchange their points of view and make proposals. The AEDH, as a network is always invited to those meetings, better known as citizenship Agora:

- the first citizen agora took place in the European Parliament the 8th and 9th of November 2007 rounding up 320 representatives of the civil society who discussed the issues of Europe, its future and its new Lisbon treaty. It was the first time the civil society took such an important place in the Parliament. The debates were divided into five thematic working groups: tools, rights, borders, horizons and missions. Each discussion group wrote a text summarizing all the opinions which appeared risen through the debate. The AEDH got as involved as possible being convinced of the necessity to develop similar initiatives with the participation of civil society. Still, the results of this first “Agora” were a bit disappointing, as the proposals where not taken into account by the institutions or even by the medias. Although we will wait for next similar initiatives, we hope it will not take too long to find an effective dialogue with society.
- the second agora will take place on the 12th of June 2008 in the European Parliament debating on climate change. Even though the AEDH will be represented, we will not be able to fully participate as we will be at the same time on our own General Assembly. We have a special interest on the questions of climate migrations and asylum rights linked with this issue.

The LIBE Committee delegations on the situation of asylum seekers and irregular migrants

The MEPs of the Civil Liberties, Justice and Home Affairs Committee decided to write reports explaining the real life conditions for asylum seekers and irregular migrants. There is one delegation visiting each member state collecting as much information as possible through governments and NGOs and having a special interest on the real conditions found in retention centres.

Before their visit, the AEDH prepares a complete file with a big amount of information about the issues found in the country. This work would not be possible without our members: we collaborated with LHDH for the situation in Greece, with Rechten van de mens for the situation in Netherlands, with Otwarta Rzeczpospolita and its network for the study of the situation in Poland.

As we can not be helped by a partner, we could not get ready for our report on the situation in Cyprus. We also assisted to the working groups organized before the visit to the retention centres in Belgium. You will find all the reports in our website.

The relationships with the European Commission

Although we are not as present as in the Parliament, we have made several contacts and few interventions.

Indeed, we respond to many invitations and participate to conferences and hearings. Each invitation shows recognition from different DGs of the Commission.

This relationship is particularly useful in order to find more available information about the **freedom of movement and settlement** in the European Union, as we had some meetings with the DG for Employment, Social Affairs and Equal Opportunities. We learnt more about the legislation and it was very useful for the development of our file in progress, which is based on two notions:

- there is a total **freedom of movement** through the territory of the European Union for each European citizen.
- there is also a **freedom of settlement**, but this one can be limited by the legislation of each member state, linked with their own social insurance, established by the 2004-38 Directive. The settlement relies on: a work contract, the creation of an enterprise, a retirement due to the social insurance, the research of a job through a limited period (around 6 months) or becoming unemployed after being fully employed. All those conditions should disappear as each long-lasting resident should beneficiate from social insurance services. It is all about people and not about conditions.
- **every single person expelled from a country because he or she did not fulfil the requirements to settle down, should be allowed to come back to this country** in order to beneficiate from the goods and commercial services he or she would like to access.

As to our relations with other DG's and their members, especially the DG Freedom, Security and Justice, they have been looser. This situation can be accounted for by a lack of time but also because we have the feeling that, nowadays, most files are prepared at the level of the European Council. Thus, our relation with the DG's are rather based on an exchange of information rather than on a lobbying activity on specific current files. Therefore, our work with our ONG partners takes place during events organized by the European Commission. For instance:

- The “**market-place**” from the 4th to the 5th December 2008 which came as a conclusion to the project “Take part!” This project was financed by the DG Freedom, Security and Justice and aimed at creating a dialogue on integration at a European scale. The project, coordinated by Solidar, started in 2006 and was an opportunity, thanks to the collaboration of ten European organizations working on migration, to gather the opinion of migrants, searchers, associations, trade unions, NGO's and local authorities around the common will to promote a fairer and more efficient integration policy. The conclusion of the debates was a condemnation of the notion of “illegal immigration” and a call to promote a coherent European policy within the frame of a social policy instead of a securitarian policy. Such events aim at making people gather in informal talks in order to promote better integration policies. Unfortunately, these spaces of proposition remain meaningless since the European institutions do not take them into account. Although they are present at the debates, and in spite of our recommendations and of the proves we gave them of the no-founding of these policies, the members of the European institutions carry on favouring securitarian and restrictive policies of border closing.
- The “**Identity**” **platform**, organized on the 14th of February a workshop on the growing tendency of including biometric characteristics in the identity documents of European citizens. This workshop took place in connection with the group “epractice.eu” which is a network of experts created by the European Commission. This network seeks to promote the development of professional communities in order to foster the interactivity of the European governance. The aim was to extend the creation of the electronic identity card to the biggest majority of the population. The precision and the quality of the speakers could not hide and even revealed how scaring this project is. It is indeed a big threat to the right to privacy and to individual freedom. The apology made by the private sector, which monopolized most of the speaking time, was the proof of a lack of a real legal framework for this project and showed us how interesting this market can be for private firms, which, of course, have no interest whatsoever in talking about the danger it represents during this kind of conference. The fact that the AEDH was the only NGO which attended this event is a proof of the urgent need to create a mobilization at a European scale on such priority issues.
- On the 14th and 15th of April, the AEDH was invited to the conference “**Quo Vadis, EU Democracy?**” which was chaired by the Head of Unit of the DG External Relations and organized by “Partners for Democratic change international” which is a global network of independent local associations. During two days, representatives from the civil society exchanged their views on the program “Europe for citizens” launched by the European Commission. It was an opportunity to promote a European citizenship for everyone and to remind that it

should go hand in hand with a real European policy on Human Rights. This issue of Roma appeared as a key-issue.

The debates in such meetings are usually of a high standard and most of the time of high interest. The presence of the AEDH gives us the opportunity to be present, to get a real recognition and to intervene. However, we cannot but notice that the conclusions of these debates, although the latter are organized and financed by the European Commission, do not have a significant impact on the day-to-day European policies.

The European Economic and Social Committee, EESC, and the civil society contact group at the EESC.

A “civil society contact group” has been created at the EESC. The members of this group are associations working in the field where NGO’s intervene and representatives of the different sections of the EESC. The co-presidency is shared by both the President of the EESC and a representative from the civil society organizations, who is currently Jean-Marc Roirant. This group gathers approximately six times a year and working groups gather between each plenary session. After being an observer in this group during two years, the AEDH has turned into a full member during the meeting of the 19th of December 2007 and now stands for the field of Human Rights at the civil society contact group.

The civil society contact group intervened in 2007-2008 on the issue of the status of association, of European mutuality and of transparency and citizenship. At spring 2008, it presented, at the European Council, a report on the implementation at the national level of the renewed Lisbon strategy. The civil society contact group gathered on the 26th October 2007, the 19th December 2007, the 15th February 2008, the 7th March 2008 and the 11th June 2008.

The interest for the AEDH to be present is various. First of all, it is the recognition of our representativeness as defined by the criteria elaborated by the EESC. Second, it is the possibility to intervene within an institution where the social partners, and especially trade unions, are represented. Thirdly, it’s the opportunity to promote the idea of a broader space for civil society organizations in the dialogue with the EU institutions and in the management of EU projects. As time goes on, we have the opportunity to acknowledge it:

- On May 28th, the AEDH was invited to take part to the 50th anniversary of the CESE. It was the occasion to create numerous contacts, especially with members of the group II, which is the group of trade unions. This was made possible thanks to the contacts we had before with representatives of this group at the civil society contact group.

- Our Vice-president, Mrs Catherine Teule, has been chosen as an expert by the rapporteur at the EESC on the green book on asylum. Thus, by this way, it is also a big part of our position which is defended in this report, even if in the report, the rapporteur did not take into account all the remarks which were made.

- We organized informal meetings with members of the executive committee of the European Trade Union Confederation, ETUC, in order to initiate a closer cooperation and maybe even a partnership between the AEDH and ETUC.

- Since they are worried by the so-called “return directive”, members of the group II at the EESC consider starting a legal action and taking position on this draft directive. Therefore, they, of course, contacted the AEDH in order to get an idea of the current debate and to get some help in defining what their position is. A first meeting to exchange our views took place and should be followed by others in a near future.

Our presence at the civil society contact group at the EESC gives us the opportunity to create new contacts and links with important networks of the civil society organized at the European level and to work with them. But above all, and beyond the recognition it gives us, it represents the possibility for us to be informed and to consolidate our relations with NGO’s and trade unions of various European countries. This will to establish closer links with representatives of workers is a sign of our commitment for social rights to be considered as equal to other rights. We are concerned by this issue, for us the indivisibility of rights has a sense and we consider ourselves as intervening in the political field.

The AEDH has, as well, the possibility to get an information stand at the open day of the EESC on the 7th June 2008 and can therefore use this chance in order to be known to a wider public.

The difficult operational set up of the EU Fundamental Rights Agency.

Since the 12th and the 13th July 2007, when the AEDH and other organizations from the civil society, were invited to Vienna for the set up of the new executive committee of the Fundamental Rights Agency (FRA), there has been no relations whatsoever with this agency, although it is written in its status that she should consult NGO’s. This situation is the proof that NGO’s consulted in July 2007 were right to worry about the independence of such an agency, about its capacity to work beyond the working program delivered by the Commission, about its ability to deal with transversal issues and about its ability to face urgent situations related to Human Rights.

However, we did not remain inactive and, together with MEP’s and chairmen in charge of this issue at the European Parliament, we have been working on applications for the position of chief executive and experts at the FRA. We had forwarded these two position announcements to our members. We attended the election of the new chief executive in March 2008 and also the election of the experts committee, on the 29th of May 2008, at the European Parliament. We now have to be attentive to the evolution of the agency.

II. We are present in the main European NGO’s networks related to Human Rights.

The organizations representing civil society are organized within networks at the European level. These networks are themselves often divided in sub-networks such as the “EU Civil Society Contact Group”. We follow carefully the work done by these networks, since we are usually directly concerned by what they. Due to a lack of time and of financial means, most of the time, our activity consists only in attending the meetings. However, we have a real chance, through these networks, to influence and take part to common actions concerning Human Rights violations.

We are members and take part to the work of the following networks:

Human Rights, Democracy and Conflict Prevention NGO Network, HRDN

We attend the monthly meetings of the HRDN network which is the network of NGO’s working in the field of Human Rights in Brussels. One meeting is devoted once a year to the establishment of common European political instruments in order to foster the defence of Human Rights. Even if it is an informal structure, the HRDN network is recognised as an integrated platform which gathers more than 60 associations. It deals with many various issues such as the development of the Fundamental Rights Agency, the relaunch of the debate on the institutional relationship between NGO’s and the Commission... However, most of the debates concern Human Rights issues in third countries and the issues which are debated at the sub-committee “Human Rights” of the committee “foreign Affairs” at the European Parliament.

In 2008, the annual meeting took place on 16th January. At this occasion, the HRDN network levelled harsh criticism at the lack of concern the European Commission shows regarding issues related to Human Rights. There was an incitation for HRDN members to act at the level of member states so that they would assume more responsibility on Human Rights issues. The primacy of Human Rights seems indeed to be missing more and more in European policies.

The troika which was in charge of animating the network has turned into a quartet and is now composed of *Save the Children*, *QCEA*, *Amnesty International* and the *club of Madrid*.

European Platform for Migrant Workers’ Rights, EPMWR

We took part in the creation of the network “European Platform for Migrant Workers’ Rights” (EPMWR). This network wants European countries and the EU itself if it might get this competence one day, to ratify the UN convention on rights of migrants. We have contributed to the redaction of the “pilot shadow report” ordered by EPIM to EPMWR. However, we cannot but notice that, since the meeting of the 22nd March 2007, when the priorities and the strategy of the platform to get a maximum of signatures for the UN convention were defined and the documents “The UN migrant workers convention” translated, there has not been much done by the network. Given the actuality and the fact that the EU will get a legal status, it would probably be a good thing to relaunch this network.

The Euro-Mediterranean Human Rights Network (EMHRN)

We are currently working to create closer links with the Euro-Mediterranean Human Rights Network. A first meeting took place with the executive committee in Brussels on 3rd March 2008. We talked about the opportunity to collaborate on the issue of the “return directive” and on the warnings on transit countries where migrants can be sent back to, although, in such countries, they are sometimes at risk of being convicted.

The European Network against Racism (ENAR)

The AEDH is a member of the ENAR network, through its participation to the coordination of European networks of ENAR, which are part of the network as well as national coordinations. This coordination of the European networks is currently animated by Doris Peschke from the association “The Church’s Commission for Migrants in Europe” (CCME). Therefore, we are represented by this association during the General Assembly and the European Conferences organized by ENAR.

ENAR faces the issues of racism and discriminations but not the issues related to discriminations based on genders or sexual orientations.

The AEDH takes part to about two meetings every trimester and also attends conferences when it is possible and when we are interested by the issues debated.

Our role in ENAR can be viewed from different levels. The first point concerns the relations we can have with our members when they are themselves members of an ENAR national network. The second point is that we should pay attention to the kind of organizations which would like to become members of ENAR. For instance, in 2007, the Church of Scientology applied for membership. The third point concerns the political orientation of ENAR.

Regarding this last point, we have applied to become members of the political and lobbying committee of ENAR and we have been elected. This committee does not have any decisional power but it comes as a support of the political structures and of the direction of the network. For example, we have been personally associated to the preparation of an intervention by ENAR towards the French political body as regards to the French Presidency of the EU starting in July 2008. We take part as well to the organization of a conference that ENAR will hold in France in November 2008, in connection with the French ENAR network presided by Brice Monnou, on the theme: “How to define a positive approach to migration?”

The European Liaison Committee on Services of General Interest (CELSIG)

We are members of the CELSIG and we take part to their meetings twice a semester. The CELSIG is a place of thinking and a place of action and it gathers at the European level NGO’s, think-tanks and trade unions. The action of the CELSIG focuses on the setup of a frame directive on services of general interest acknowledging their specific character as common goods and guarantors of an economic and social cohesion. The Committee is currently trying to play a role in the forthcoming European elections, especially by demanding the creation of a post of European commissioner for services of general interest.

The European Civic Forum (ECF)

Created in 2005, the European Civic Forum became an association in 2006. Its status of association should enable it to answer calls for proposals from the European Commission. The forum acts for the promotion of an active Europe citizenship within the EU. It fights for the creation of a status of European association. This project had been planned for long but has been dropped by the current European Commission. The meetings of the executive committee of the ECF occur every trimester. One out of two takes place in the country which has the Presidency of the EU and welcomes, at this occasion, civil society associations from this country.

Thus, there was a meeting of the executive committee of ECF in Lisbon on the 16th and 17th November 2007. The conference which was also organized was an opportunity to meet Portuguese civil society organizations. It was a chance for the AEDH to give its point of view on democracy and European citizenship and to catch the attention of representatives from the institutions present in such meetings.

The General Assembly of the European Civic Forum took place in Brussels on 20th February 2008. The AEDH was elected member of the executive committee. The French League for Human Rights (LDH) will replace it at the Vice-Presidency.

On the 4th, 5th and 6th September 2008, the European Civic Forum will organize a big event in La Rochelle, in connection with the European Commission and the French Presidency of the EU, on the theme of citizenship and democracy. The AEDH will be in charge of a workshop on the issue of Human Rights and will ask its members to participate.

The other European Networks:

Moreover, we have close links with European networks such as:

- Solidar
- The Social Platform
- The European Council on Refugees and Exiles, ECRE
- The migration and asylum platform
- ILGA-Europe
- The World Organisation Against Torture (OMCT)
- The European Women Lobby

We attend meetings and annual events organized by these networks. We get to be known and we establish new relationships which may enable us in the future to lead common actions. We have regular meetings with representatives from these networks and we exchange information with them. We have come to a good relationship with **ILGA** and **the European Women Lobby** and we are considering starting common actions.

We also maintain privileged contacts with **the European Transregional Network for Social Inclusion (RETIS)**. The President of the AEDH attended on 18th and 19th December 2007 their 6th annual congress. The interventions in the workshops enabled us to put forward the ideas defended by the AEDH. Our participation to the reception of 18th December was the

occasion to meet representatives from local authorities from Belgium, Italy, and Spain... Besides, the AEDH was contacted to become a partner of RETIS on the program "Progress".

On the issue of Roma, we have established contacts with ERIO and the Research Centre on Roma in Budapest. We have invited the President of the latter to one of our conferences. Thus, we now have all the elements we need for an action of the AEDH on this theme. The director of ERIO will be present at our seminar on the 14th June 2008 during our General Assembly.

In this respect, to maintain our relationships and to bring our reflexions, we took part on 29th and 30th January 2008 to the conference entitled "Through integration and social inclusion to active citizenship: a major European challenge for achieving equality for Roma". The aim of this conference was not to start new initiatives but to gather and get a clear view on the current tools we have at our disposal to fight against discriminations towards Roma. This is the reason why the audience was very diverse. The emancipation of Roma as European citizens was the guideline of this conference and we deeply hope that it will become a European project. The creation of an action group on Roma at the European Commission has been announced as well as a forum on Roma in September 2008 where the conclusions of this project will be presented.

The Social Forum ESF (European Social Forum) and WSF (World Social Forum)

The AEDH is involved in the preparation and the participation of the European and the World Social Forums.

The AEDH intended the preparatory meetings on the European Social Forum (ESF) that will take place in Malmö from the 17th to the 21st September 2008. These preparatory meetings represent the opportunity to meet other organizations and to promote the theme of Human Rights for the ESF. In this context, the AEDH actually has to work on the ideas and the political orientations. These meetings take the form of working groups on the program of the ESF or of European preparation assemblies. We went to the preparatory in Stockholm (from 13th to 16th September 2007), in Istanbul (from 30th November to 2nd December 2007), in Berlin (from 23rd to 25th February 2008) and in Malmö (from 25th to 27th April 2008).

The ESF of Malmö should be characterized by a strong mobilization of Northern Europe trade unions and by an important participation of delegations from Eastern and Central Europe. The AEDH is going to intervene on the issue of racism and on the theme "European democracy, citizenship and institutions".

Our secretary general, Mrs. Francine Mestrum, is part of the organization of the WSF that will occur in Belém (Brazil) in 2009. We are thus likely to intervene in this WSF, just as we took part in the one of Nairobi in 2007.

Our participation, whether direct or indirect, to these kinds of networks and demonstrations is both a matter of recognition, communication, information and influence. We cannot spend as much time as we would like to working in this direction, but, it is still an opportunity for us to promote our orientations and to find a way to answer our priorities in the future.

The progressive institutionalisation of those networks leads to the diversification of their members and of their claims, which may create or intensify political dissensions among the different organizations. We are conscious that those networks have gained a high recognition

in the European institutional field; however, we are considering creating new transversal ties between European associations, which could in the future answer better our political orientations.

III. The relationships with our members and the development of the AEDH.

Since our last General Assembly, we have been working in two directions: carrying on working with our member associations and their executive committees in their countries and initiating new contacts with associations which are likely to become members of the AEDH, especially those coming from countries where we are not represented.

Meetings with our members

There have been many meetings between representatives of our member associations and members of the executive committee of the AEDH, especially its President. These meetings happen from time to time or can be planned at the occasion of a special event such as the participation to a European program. We met with:

- The executive committee of the APDHA on 11th January, in Sevilla
- The executive committee of CIVITAS on 15th February in Lisbon
- The executive committee of the Lithuanian Human Rights League (LHRL) on 21st March 2008, in Vilnius
- The Finnish League for Human Rights and its President, Mrs. Kristina Kouros, on 14th May in Helsinki. At this occasion, we could meet the director of the Unit on Human Rights at the Finnish ministry for foreign affairs and introduced her to the most sensitive files related to Human Rights at the EU level.

These meetings with members of the executive committees of member associations of the AEDH are always the occasion of very instructive exchanges, the occasion to know better each other, to get to know the action of our members in their countries, to explain our action in Brussels and to discuss our mutual expectations. It is as well the occasion to explain the European institutional system and how we can build together a democratic Europe based on the respect of Human Rights.

To hold contacts in order to evoke possible new members.

We have established some contacts with organisations which could become members of the AEDH. These are the following:

- **The Human Rights Institute of Catalonia (IDHC)** is an organization composed of lawyers, University students and attorneys. This organization intervenes in Catalonia about questions linked to Human Rights and ensures their promotion. We have entertained many exchanges with each other and we had the opportunity to meet Mr. David Bondia in Brussels, the director of IDHC. They asked us to become a member of the AEDH and our office

accepted their request. Consequently, in conformity with our statutes, they became partner members of the AEDH since the 14th March 2008.

- **Otwarta Rzeczpolita-Open Republic** is a young Polish organization created in 1999 right after the publication of anti-Semite and xenophobe school books. We had received the visit of its president and of its treasurer in Paris on the 26th and 27th November 2007, where they took part in the European seminar which we were organizing at that time. This association asked to become a member of the AEDH and it was accepted. Consequently, in conformity with our statutes they became partner members of the AEDH since the 14th March 2008.

- **ASTI** is one of the main associations in Luxemburg. In the beginning it was an association that gave support to the immigrants. It is becoming more and more an association for the defence of Human Rights, in particular of foreigners which represent 40 percent of the population in this country. The first encounter with ASTI happened in 2006 thanks to the fact that they are members of ENAR in Luxemburg and that the AEDH is a member of the ENAR European Network.

Since then we regularly kept contact with them. Neighbouring relationship occurred with us but also between the LDH's regional delegation of the Lorraine in France and ASTI. These meetings and working methods have convinced ASTI to get closer to the AEDH whose office accepted to welcome ASTI as a partner member since the 14th March 2008. However, the Administration Council of ASTI decided to develop an internal structure which is likely to become an active member of the AEDH. Therefore, the formalization of our relationship is at the moment in stand by.

We had other more informal encounters that could go further:

- In Sofia, the 3rd April 2008: encounter with **the Centre of Women's Studies and Policies** and its director, Miss Tatjana Knetova. Moreover during a seminar at the new University of Bulgaria we met several teachers and investigators who can possibly access to the AEDH as individual members in the future.

Other relationships are being made:

- **EDRI, the European Digital Rights**, a European network which gathers 28 organizations from 17 European countries could eventually become a partner member of the AEDH. We are, by the way, responding together to a European programme.

- The "**European Russian speaking Alliance**" invited us on the 17th May 2008 in order to intervene in a working group about experience of exchanges between the Russian speaking minority and other cultural and linguistic minorities in Europe. We talked about the minorities' rights and the practice of languages.

Each trip to a European Union country, at the occasion of a seminar, a conference or another event, is an opportunity for us to make new contacts with organizations or personalities which are likely to become active members or individual members of the

AEDH. In addition to this we are able to participate to the construction of a permanent structure for the defence of Human Rights at the national and regional levels.

The individual members of the AEDH

In conformity with our statutes, physical persons can become AEDH members if they wish to. In 2008, the construction of the website provided us the opportunity to turn this possibility into reality. Each week we register at least one new membership. Today we can count more than 40 individual members.

The opening of the AEDH to individual members appears to strengthen our association and is an essential element as it brings precious human, material and financial contributions. They represent an undeniable militant support for the development of our association and constitute a promise for the future of the association.

IV. The participation of the AEDH to European programs

Since our last General Assembly, we engaged ourselves in some European programs. Unfortunately we didn't receive, for the moment, any positive response because of the poor financial capacity of the AEDH.

The European program, which name is **“Europe for Citizens: the promotion of active European citizenship and the appeasement of intercultural and inter-religious conflicts – the development of a working and intervention network at the European level”**, is supported by the French League for Human Rights but its coordination is left under the AEDH responsibility.

In this purpose we wish to thank Sir Jean Pierre Dubois, the LDH president, and Viviane De Lafond, the delegate who finalized the request.

This program is produced in association with 3 of our members: the Andalusia Human Rights Association (APDHA), The Portuguese Association for the Promotion of Citizens Rights (CIVITAS) and the Lithuanian Human Rights League. This program involved the meeting of three working groups in France and the preparation of five seminars.

The first seminar took place in France on the 25th and 26th November 2007 and gave us the possibility to allow approximately 10 of our members to participate in this event.

The second one happened in Spain, Cadix, on the 12th and 13th January 2008. This one focused its aim on encounters with local associations so that it was full of reciprocal and rich experiences sharing.

The third seminar was held in Lisbon on the 15th and 16th February 2008 and gathered a wide number of concerned personalities and associations. The results were very positive.

The fourth event of the same kind was organized in Vilnius on the 22nd March 2008 and was opened to the whole of the Baltic countries, Lithuania, Latvia and Estonia. It gathered our four existing members from these countries and represented a very unique opportunity to raise the situation in that part of the European Union.

On the next 13th and 14th June 2008, the seminar will allow us to gather the majority of our member leagues and to develop partnerships with territorial communities.

A report of the seminar will be available afterwards.

“The European assizes of citizens and residents of big metropolis”

This is a European program led by the House of Europe in Paris whose partners are the AEDH, the Human and Social Studies of Sofia, the New University of Bulgaria, the University of Ljubljana and the Foundation of Geshagen from Germany. This program resulted in five encounters in which the AEDH was present.

The first encounter was held on the 8th and 9th February 2007 in Paris and was organized by the AEDH. The subject of this event was **“The European Citizenship and the residence European Citizenship”**. Sir Pierre Barge, the president of the AEDH and Madame Catherine Teule, the vice-president of the same association, were both of them the representatives of the AEDH.

The French Human Rights League, represented by its president Sir Jean Pierre Dubois and by Saïd Bouziri, CIVITAS, represented by its vice-president Sir José Rebelo, and the Hellenic League for Human Rights, represented by Sir Dimitris Christopoulos, its president, found the occasion to participate in the debates. For this occasion the AEDH invited Madame Vera Egenberger, the executive director of the European Roma Rights Centre in Budapest.

The second encounter, in which the AEDH intervened, was made in Berlin on the 22nd and 23rd February 2008 at the Geshagen Foundation and the discussions and debates were founded around the subject of **“The Governance of the big metropolis and the participation of young people: which commune view?”**

The third meeting took place in Sofia on the 4th and 5th April 2008 and the agenda was built around **“The Cultural Diversity, the Intercultural Practices and the Community: the challenges of the big European metropolis”**. Regarding to “The citizenship and the European citizenship of residence”, the AEDH president made his voice heard.

Finally, during the fifth meeting that will soon occur in Paris on the 13th and 14th June 2008, the debate will consist in discussing the program **“European assizes of citizens and residents of big metropolis”**.

Madame Catherine Teule, vice-president of the AEDH will introduce the debates; a workshop on the residence citizenship will be co-animated by our association as well. In the evening of the 14th June, the end of the General Assembly, a junction between the assizes and the AEDH members will be made.

Under a practical view, the organization in partnership of such a program needed several intermediary meetings shaped by working groups. This kind of program is in many ways very productive. In the one hand, it gives the opportunity to make the concepts of Human Rights and their universality and indivisible character to progress in a positive way.

In the second hand, it enables the AEDH to promote its action and to try to be better well-known as well as to take part in its own development and evolution. But it represents a heavy investment of time and finances than can also be done through other actions.

The responses to European projects in stand-by

Either individually or in partnership with the French League for Human Rights, the AEDH has responded until today to four European programs. We are waiting for answers from the European Commission for the following programs:

- **Europe for Citizens: “Structural Support to the organizations of the Civil Society at the European level”** (The AEDH responded on the 23rd November 2007);
- **“Fundamental Rights and Citizenship: operating grants”** (The AEDH responded on the 2nd April 2008);
- **“Daphne III: Rights, effectiveness of rights and violence against third countries women and/or women belonging to minorities”** (response on the 22nd April 2008 by the French League for Human Rights in partnership with the AEDH and other organizations);
- **“Fundamental Rights and Citizenship: Personal database. To sensitize and inform young European citizens”** (Response on the 5th May 2008 by the LDH in partnership with the AEDH and other organizations).

The response to European programs enables us to raise funds but it demands a lot of human investments and the management of the programs is heavy. Besides, we have the co-funding question which should be taken into account by our members. Until this day the LDH is the only one which concretized it.

The European programs have to be considered as an important contribution but not as an ordinary functioning method.

V. Communication means

In order to make its positions well-known and to act for the respect of Human Rights in Europe, the AEDH must communicate as well as entertaining permanent contacts with its members. To concretize this, the AEDH regularly recruits volunteers who progressively work on the construction of communication instruments.

Nowadays, we have a logo, a presentation leaflet, visiting cards whose graphic realization was gracefully conceived by a graphic from Paris. We thank him very much for that.

We also have a cover model which will be useful for our presentations.

We presented to the office of the Benelux brands the AEDH brand which belongs to us in this geographical area since the 6th April 2006.

Regarding to the web-site we have a gracious accommodation in Paris. Nevertheless, we have to pay the electronic addresses that we protect or that we use: www.aedh.eu
We managed to have this address after a long process.

The AEDH internet web-site

Thanks to Jean-Luc Nguyen, a volunteer computer specialist, and Véronique Geubelle, a graphic designer, we have a new web-site with new functionalities, for instance an online payment system. It is apparently more modern and consequently more attractive and accessible to the new internet users.

It incorporates the majority of our work files and press releases which are brought in by our trainees. Our aim is to valorise our position and to provide information and references to our members and internet users.

Nevertheless, we are conscious of the necessity to put into practice new functions and we are currently working on it. It takes time and it is understandable in the sense that we depend in the volunteers work and we can't ask them everything.

The newsletter and the Flash info for our members

Each Friday, the AEDH sends by e-mail a newsletter to its active members, to its individual members and to the members of the executive office. This newsletter, reshaped in January 2008 is simple. It contains the actuality of the whole week in terms of Human Rights at the European Union level, and the list of the following events (important texts, conferences in which the AEDH will take part, The European Union Council meetings, and the calendars of the European Union presidency...).

This newsletter can be improved and we try to do it progressively. But it seems insufficient so that we created the News-Flash procedure, which enables us to correct this insufficiency.

The diffusion lists

In order to diffuse the information, we use our diffusion lists, regularly updated and completed.

For the internal information we have:

- a diffusion list called “Office”;
- a diffusion list called “members”;

- a diffusion list called “individual members”.

The members of this list are the recipients of the press releases, of the newsletter and of the Flash-Info. The question that subsequently appears is to know how to focus on the best information and to avoid submerging the e-mail boxes of our members.

For the external information we have:

- a diffusion list called “Parliamentarians”, “LIBE Commission”, and “other Parliamentarians”;
- a diffusion list called “European institutions”;
- a diffusion list called “press”;
- a diffusion list called “network”;
- a diffusion list called “personalities”.

All our press releases are systematically sent to the totality of these lists. We are also able to diffuse our member’s information if they wish to work in partnership with the AEDH about a specific subject in order to create a bigger impact at the EU level. The names that appear in these lists can of course be completed if the members wish to.

To equip the AEDH with new communication tools

We need to realize work files in order to better present our association and its actions. At the same time, we try to carry out documents more elaborated which we could disperse through the Internet or in paper. It demands an investment that our trainees are not able to assume alone for practical and time reasons. That’s why we need the investment of militants who are aware of the political issues and who are able to organise the information under our possession.

The establishment of a volunteer translators and interpreters network

This year will be progressively created a volunteer translators and interpreters network, which is for the association an important tool for the diffusion of our information and for the good understanding between us during the meetings.

- concerning the translators network, Madame Danielle Conge assumes its coordination;
- Concerning the interpret network, Madame Mercedes Condé assumes its coordination.

We thank both of them and their networks for the priceless services that they are doing to the AEDH.

The AEDH Press releases and the political positions

One of the AEDH missions is the publication of press releases in which we take political positions on the subjects that are linked to the Human Rights in the European Union. All the press releases (except the one about the European Parliament visit to Schipol) are written in French and translated into in English. Some press releases are published in conjunction with the member league of the country which is concerned by the situation that is meant in the press release itself.

If the AEDH has no member in a concerned country, we try to find local entities which might provide pertinent information about the real situation.

In 2007/2008 the AEDH published the following press releases:

1. **The 11th June 2007:** *“Press release to the attention of the European Parliamentary delegation during its visit to the detention centres in Greece”*. In order to concretize this document, the AEDH was helped by the Hellenic League for Human Rights in relationship with a Greek local organization (HRHR-KEMO) which shared with us their concerns about the conditions when arriving to the Greek detention centres. Two points are particularly visible:
 - The presence of non-accompanied minors
 - The asylum seekers are not allowed to demand a residence permit at the frontier detention centres. On the contrary they can do so in the police stations.

Some of the demands are submitted to Petrou Ralli, the police station for illegal immigrants, and to the Omonia police department where it was noticed that some officers abused of the immigrants while they were controlling the detainees and where one detainee died in 2006.

Moreover, the AEDH found some support in the report made by the Anti-torture Committee of the European Council on the 20th December 2006, in the report made by the Council of Europe’s Human Rights commissioner about its visit to the Hellenic Republic on the 17th July 2008, and in the documents of the United Nations Committee against torture.

2. **The 12th October 2007:** Press release *“Les gouvernements doivent mettre l’Europe au service des citoyens”*. This one was published before the meetings held by Foreign Ministers in Luxemburg and the Heads of States in Lisbon. The subject of these meetings was the implementation of the Treaty on the European Union and the Treaty on the functioning of the European Union. The AEDH asked to the Parliamentarians not to be too satisfied of the poor progresses of the Treaty and to impose to all the Member States the application of the Fundamental Rights Charter, which is the only way to avoid the establishment of a situation of unacceptable inequality of rights. Another request to the European Parliament is the construction of an economic and social cohesion of the European Union and the

transformation of the democratic system actually unbalanced and not enough visible to the citizens.

3. **The 15th November 2007:** Press release in partnership with the LIDU, the Italian League *“Deportation measures clearly aimed at Romanian migrants are shameful and unacceptable”*. This press release was published after the generalized expulsion of Romanian people because they were considered as dangerous people after the murder of Madame Giovana Reggiani in Rome by a Romanian immigrant. The AEDH and the LIDU reminded that the penal responsibility is individual and cannot concern an entire community. In another side, the law must be equally applied among all the citizens, Italians or not.

4. **The 16th November 2007:** Press release *“No to the generalized use of air passenger’s databases; Europe should not be transformed from an area of freedom to a surveillance zone”*. It responded to the resolution of the Council of the 6th November 2007 regarding the use of passenger’s databases (Passenger Name Record – PNR) with repressive aims. In the name of an indistinct and undefined terrorist threat we observe the multiplication of initiatives inside the European Union that are clearly in contradiction with the fundamental principles of the protection of Human Rights.

We mention, among others, the application of biometric passports, the possibility for the European juridical and police authorities to share personal information via the Prüm System, and the possibility for EUROPOL and EURODAC to access the Schengen Information System. The resolution project is contradictory to the general principles of the legal treatment of personal databases, as the proportionality principle.

5. **The 19th December 2007:** *Press release in partnership with the Dutch Human Rights League, regarding to the visit to the detention centre of Schipol in, Amsterdam.* One of the particularities of the Netherlands is the construction of boats centres. Although the asylum seekers are not criminals they are often treated as they were. Sometimes the detention centres are compared to deportation centres, and one of the given reasons for the unlimited time of detention is that this maximum duration would encourage the immigrants not to collaborate with the authorities in order to go back to their original countries. The conditions of this centre are precarious: bad access to medical treatments, too many people in the same room, rare activities and work, bad food quality, complaints about hygiene, unqualified staff, physical violence against detainees, detention of children and babies in the centres.

Besides, one of the biggest fears is the possibility of a new fire, as it already happened in Schipol in 2005. Some centres didn’t improve their preventive conditions.

While analyzing these problem, the AEDH and the LVRM met together in order to call for the respect of dignity and Human Rights, as well as the asylum and immigration rights.

6. **The 14th January 2008:** Press release on the return directive *“AEDH calls to members of the European Parliament to vote “no” to the draft directive on the returning of illegally staying third-country nationals”*. In this press release, the AEDH asks to the European Parliamentarians not to approve the directive project on the “common standards and procedures in member states for returning illegally staying third country nationals”.

7. **The 30th March 2008:** *“note to the delegation of the European Parliament which is going to Poland from the 1st April to the 3rd April 2008 in order to visit detention centres and to check condition detentions for third country nationals”*. The AEDH based its researches on dispositions of the Council of Human Rights of the United Nations, on the Geneva Convention and on the observations made by the European Committee for the prevention of Torture and Inhuman and Degrading Treatments. Moreover, thanks to our new partner Otwarta Rzeczpospolita, we entered in contact with several local ONG’s, as Halina Niec Legal Aid Centre which has gently given very useful information regarding the Lesznowola centre, one of the visited centres. We observe numerous insufficiencies: detention of non-accompanied minors, bad hygiene conditions, epidemiological threats, medical prescriptions are not respected, sexual and psychological violence, rare access to lawyers and ONG’s irregular external activities.

8. **The 15th April 2008:** press release *“The Council’s proposed amendment of the framework directive on combating terrorism: a new threat for civil liberties”*. The AEDH reminds that the definition of terrorism given in the resolution is so imprecise and large that it can include civil disobedience acts or simply a major political or social conflict. The AEDH expresses its worry concerning this resolution.

Demonstrations

The AEDH called to take part in the demonstration of the 7th May 2008 in Brussels against the Return Directive.

VI. The AEDH resources

We managed to mobilize through the years some resources that remain insufficient.

Material

Thanks to the endowment of a Swiss foundation and thanks to the action of our members, the Swiss League for Human Rights and the French League for Human Rights, we could buy a minimum of material.

During the removal of the AEDH to Rue de la Caserne, in July 2007, we had to buy some material. Today our office is composed of some tables, chairs, racks, 2 new computers and an

old one, a laser printer, a multifunctional printer and a fax. We rent the phone allocation. We have basic resources but we urgently need to substitute a computer, to buy another one and to buy some furniture.

The offices

During the creation of the AEDH, we occupied the same offices than the FIDH delegation in Brussels, at the francophone Belgian LDH. When the LDH removed to Chaussée d'Alseberg, the FIDH and the AEDH also removed. The locals found in there were too straight so that the FIDH rented a little office of 16 m² in another floor, in order to shelter FIDH and the AEDH trainees. Since the FIDH left the Chaussée d'Alseberg, the AEDH was temporarily sheltered by the francophone Belgian League for the Human Rights.

On the 18th July 2007, we removed to the Rue de la Caserne in a bigger local (30m²) with a meeting room. Our renter has changed since the 1st April 2008 but we kept the same conditions. We actually are closer to the city centre, to the European Institutions, and we dispose of more spacious and functional locals.

The financial resources

Our financial resources are weak and are particularly composed of our member's contributions. Our individual member's contributions are important and we need to develop this kind of adhesion. Nevertheless, these weak revenues don't cover our commodities expenses and we urgently need to find other financial resources. We will perhaps beneficiate of European subventions which have to be considered as a complement and not as an ordinary functioning way.

VI. The component of the association

The AEDH gathers the Leagues and associations for the defence of Human Rights of the European Union countries. In 2007/2008, it is made of 18 active members and 3 partner members and individual members:

The active members

- Internationale Liga für Menschenrechte (ILMR), Germany
- Österreichische Liga für Menschenrechte, Austria
- Ligue des droits de l'Homme, Belgium (francophone)
- Liga voor Mensenrechten, Belgium (Dutch speaking)
- Asociación Pro Derechos Humanos de Andalucía (APDHA), Spain
- Ihmisoikeusliitto - Finnish League for Human Rights, Finland
- Ligue française pour la défense des droits de l'Homme et du citoyen (LDH), France

- Hellenic League for Human Rights (HLHR), Greece
- Lega Italiana per i diritti dell’Uomo (LIDU), Italy
- Unione Forense per la Tutela dei Diritti dell’Uomo (UFTU), Italy
- Latvian Human Rights Committee (LHRC), Latvia
- Lithuanian Human Rights League (LHRL), Lithuania
- Lithuanian Human Rights Association, Lithuania
- Malta Association of Human Rights, Malta
- Liga voor de Rechten van de Mens, The Netherlands
- Associação da Defesa e Promoção dos Direitos dos Cidadãos - Civitas, Portugal
- Liga lidských práv – League of Human Rights (LLP), Czech Republic
- Ligue Suisse des Droits de l’Homme (LSDH), Switzerland

The partner members

- Institut de Drets Humans de Catalunya (IDHC), Catalonia, Spain
- Otwarta Rezeropolita – Open Republic, Poland
- Legal Information Centre for Human Rights – LICHR

Individual members

The executive office

The AEDH is administered by an executive office elected by the general assembly for 2 years. The executive office is the following:

- Pierre Barge : president of the association
- Joana Melo Antunes : vice-president
- Philippos Mitletton : vice President
- Catherine Teule : vice-president
- Véronique van der Plancke : vice-president and treasurer
- Francine Mestrum : general secretary
- Aleksejs Dimitovs : treasurer
- Marija Staciokiene : member

In parallel, the AEDH activity is also possible thanks to the regular help of the trainees and volunteers.

The trainees

In 2007-2008, the AEDH has welcomed the following trainees:

Eva Barjot (5th February – 30th July 2007)

Lidia Garrido (5th March – 15th May 2007)

Mélanie Barthezème (8th May 2007 – 30th October 2007)

Hélène David (27th August 2007 – 15th October 2007)

Aurélie Sgro (15th October 2007 – 7th April 2008)

Amel Saebi (15th November 2007 – 20th February 2008)

Bernadette Oliveira Martins (7th January 2008 – 15th July 2008)

Eloi Pomé (14th January – 30th June 2008)

Lorène Touchet (14th April – 15th September 2008)

The volunteers

The volunteers of the AEDH are old trainees, individual members, national leagues militants or simple AEDH sympathizers. They help with the defended position of the association and to the good functioning of its activities. There is also a volunteer network of translators and interpreters.

We deeply thank everybody for the good work!

The main press releases of the year 2007-2008

•Deportation measures clearly aimed at Romanian migrants are shameful and unacceptable.

Brussels, 15th November 2007

The Lega Italiana dei Diritti dell' Uomo, LIDU, and the European Association for Human Rights, EAHR, of which the LIDU is a member, wish to make their position known concerning the “dispute” on migrants, particularly those who are EU citizens residing in Italy.

The LIDU's and EAHR's political initiative is based on the fundamental principles of the universality of rights, equality for all EU citizens, freedom of expression and of thought, personal inviolability and an equitable application of the law and of sentencing.

According to these principles, the LIDU and the EAHR are of the opinion that legislative measures should not be taken under emotional duress, playing on the security of citizens, as this can only lead to blind revenge and maintain and stir up xenophobic tensions.

It is for these reasons that we have no choice but to condemn those who take advantage of certain crimes, such as the unfortunate murder of Mrs Giovanna Reggiani in Rome by a Romanian immigrant. By referring to this woman's murder in its grounds, the government Order dated November 1st 2007, dealt with as a top priority, is implicitly aimed at the Rom community and specifies deportation as a security measure. In doing so, an entire migrant community is targeted and people who are indeed not accountable for the mistakes of others are condemned.

Criminal responsibility can only be individual: it cannot concern a family or a community under any circumstances. Tarring everyone with the same brush cannot be tolerated from an ethical or legal standpoint.

Crime must be denounced and punished by the law. The law applies to every person, whether Italian or of foreign nationality. People cannot be treated differently due to their origin. Furthermore, it is unacceptable that generalised deportations should be carried out simply following a crime which attracted large-scale media coverage.

Needless to say that Italians themselves were once migrants, and like those who come to Italy today, went looking elsewhere, in other countries, in the hope of making a living and finding a future, dignity and a legitimate goal in life. Migrants are looking for employment, they rely solely on the support and assistance of charities, the church and local authorities. Conversely, the State does little to promote social integration, to provide proper housing to replace the

undignified shantytowns which are growing around major cities and are ideal places for illicit activity.

Implicitly, by conducting collective deportation measures involving identified communities, the Italian government does not meet the real issues caused by a continuing lack of security. All it manages to do is stir up hatred and the rise of xenophobia and contributes to "community" confrontations. This vision could not be farther from that which prevailed in the after-war years when Europe was being built upon the virtues of peace and human rights. They chose a Europe in which citizens can live together and not one with the sort of condemnation that led to atrocities.

The LIDU and the EAHR therefore request that the Italian government take a step back from these measures taken in the heat of the moment and under emotional strain, from the slippery slope to collective denunciation. As must all the other States, Italy must comply with the rules of law stipulated in international agreements or European law, particularly as it has just contributed to European enlargement by accepting the new draft European treaty.

•No to the generalised use of air passenger databases: Europe should not be transformed from an area of freedom to a surveillance zone.

Brussels, 16 November 2007

AEDH has been watching, with great concern, the transformation of Europe from a haven of civil liberties to a surveillance zone. The number of initiatives drawn up to combat a vague, ill-defined terrorist threat has been multiplying in the European area. Such moves attempt to subject European and foreign citizens living or travelling in Europe to restrictions that go against the fundamental principles of the human rights protection. These include, among others, the use of biometric passports, the possibility of trading information between judicial and police authorities through the Treaty of Prüm system, and access to the Schengen Information System by other police organisations such as EUROPOL and EURODAC.

The recent decision by Member-State authorities to establish a European PNR (Passenger Name Record) processing system is the latest example of this trend. The plan put forward by the European Commission on 6 November bears a striking resemblance to the PNR, also condemned by the AEDH, between the European Union and the United States of America.

The *raison d'être* of this initiative, as well as of a series of provisions included in the corresponding draft framework decision, stems from principles that are totally alien to European legal culture, founded as it is on the fundamental principles of human rights protection in general, and in particular, the protection of privacy and personal data:

- For the first time in the history of modern Europe, an explicitly repressive system applies to ALL citizens, not only those believed to be involved in illegal acts. Each individual is thus considered a "suspect". The draft framework decision provides for the collection and storage of mainly commercial PNR data of all passengers entering, leaving or transiting through the European area, so they can be analysed under the angle of a terrorist threat. A total of 19 personal data items will thus be collected.

- The draft framework decision runs counter to the main principles of legal personal data processing, such as the purpose limitation principle and the proportionality rule:
 - a) According to the draft, data of a commercial nature will be processed for purposes other than those for which they were collected, that is, for police investigation.
 - b) Moreover, the collected data shall be stored in police databases for a period of 5 years (active database) and, once this period has elapsed, for an additional 8 years (dormant database). It is difficult to understand why data on passengers of a specific flight, which have already been analysed prior to the said flight for security reasons, should still be of any interest whatsoever 13 years after the flight has landed!
- The draft framework decision also contains a series of provisions facilitating the exchange of such stored data between competent authorities of the different Member States, with no legal guarantee whatsoever. It even provides for the transfer of such information to authorities of a third state, even if the decision does not explicitly require this state to provide an adequate level of personal data protection.
- Finally, the draft framework decision, which makes no reference to the 1995 directive on the protection of personal data, contains a series of provisions aimed at reassuring citizens that the protection of their personal data was definitely taken into account when the system was being elaborated. But the only information given to passengers on the use of their personal data and the purpose for which they will be analysed - and the impossibility of raising an objection - is hardly in accordance with the fundamental right of personal data protection as defined in the Charter of Fundamental Rights. Why? Because the only way a passenger can avoid having a record is to not travel! Who ever said "free movement of persons"?

AEDH is thus calling on civil society, human rights organisations, political parties, and the European Parliament, to react and oppose the adoption of this framework decision that infringes on basic individual rights, and which is out of proportion with its goal.

•AEDH calls on members of European parliaments to vote “no” to the draft directive on the returning of illegally staying third-country nationals

Brussels, 14 January 2008

AEDH is asking European members of Parliament not to approve the draft directive “on common standards and procedures in Member States for returning illegally staying third-country nationals”, that will be proposed to their vote.

By seeking a European common ground, rather than basing itself on best practices, this directive will likely encourage tougher procedures to be adopted in countries with currently less repressive legislation. This compromise, even if it improves upon the initial draft proposed by the Commission in 2005, remains unsound and reflects a policy of repression. It

flouts the principle of proportionality and is not representative of a law respectful of human rights. Furthermore, one cannot fail to observe that adopting a text targeting “illegally staying nationals”, when the legal foundations for legal immigration have yet to be defined and harmonized, is rash and incoherent.

AEDH wishes to recall the existence of international law on the rights of migrants, refugees, and asylum seekers and that no return policy may depart from it. In that regard, certain measures falling under the draft directive are unacceptable. And others create more confusion than progress with regard to international standards, because they are limited to taking them up even though no specific provision guarantees their implementation in operational terms. Is it necessary to recall the international principles which are already enforced in all Member States? The prohibition of collective expulsion of aliens (ECHR Protocol 4, Art. 4), the principle of “non-refoulement” (prohibition of expulsion or return) of asylum seekers (Convention relating to the Status of Refugees, Art. 33), the best interests of the child (CRC, Art.3), the right to respect for private and family life (Convention for the Protection of Human Rights and Fundamental Freedoms, Art. 8; ICCPR, Art. 24), and the right to an effective remedy (Convention for the Protection of Human Rights and Fundamental Freedoms, Art. 13). Furthermore, on several points, the draft directive does not observe the “*Twenty Guidelines on Forced Return*” of the Council of Europe. These guidelines must continue to be a reference with regard to the removal procedure for illegally staying foreign nationals.

AEDH is totally opposed to the:

Possibility of extending the duration of detention to 18 months. Granted, in some Member States, the duration of detention is currently unlimited. However, experience has shown that States with a duration currently limited to one month will leap at the chance to extend theirs. In that sense, detention would no longer be designed to detain illegally staying people in exceptional situations so as to effectively organize their removal; rather, detention would make it possible to set these people apart and thus control populations considered undesirable. Such a measure is contrary to the principle of proportionality, unless these people are to be considered delinquents, children included!

Re-entry ban valid throughout the European Union, which can be extended to 5 years and can accompany any removal order. This “double penalty” can only lead to absurd and unacceptable situations. What is more, it is counterproductive as those people having settled in Europe will be forced to become clandestine in order to come back.

Possibility of the detention of minors on the pretext of promoting family unity!

Lack of precaution in selecting transit or return States. Not a single article in the directive provides for assessing the risks involved in the return of the persons concerned, including the risk of being returned to a dangerous country from a transit country.

AEDH cannot accept:

A “particular” treatment of vulnerable persons, who are limited to a restrictive list. Only two categories of persons appear to enjoy some protection: the sickly – who must receive a residence permit for treatment – and unaccompanied minors. However, there has yet to be agreement on the definition of an unaccompanied minor, which can differ from one country to another.

The establishment of a European mediator on return policy. Rather than institute an ombudsman, who would have difficulty effectively tackling all cases of abuse, the Parliament should pride itself on strictly analyzing the proposed measures with as a reference the respect of dignity and the rights of the persons concerned.

Above all, by paving the way for the routine internment of migrants through the lack of sufficiently high standards of protection, the draft directive makes detention a common tool for managing migration. As already mentioned, by positioning itself all too often below international rules and in creating confusion with regard to the application of these rules, the directive that is to be voted on by European members of Parliament cannot be accepted as is. Even if it is amended, its reason for being and the philosophy behind it are heavily questionable.

Therefore, AEDH calls on European members of Parliament not to approve the directive, which is founded on repression rather than on the respect and dignity of the treatment every human being deserves.

AEDH does not call into question the legitimacy of European members of Parliament to legislate on illegal immigration; however, it believes that Parliament should wait until 1st January 2009 to be able to legislate under the co-decision process within the framework of a coherent legislative packet on all aspects of European migration policies. Then they will truly be able to assert their decisions in terms of migration policy. This is a further reason not to vote now on the return directive as it stands.

•The Council's proposed amendment of the Framework Directive on combating terrorism: a new threat for civil liberties

Brussels, 15 April 2008

The AEDH is deeply concerned following the drive to worsen the effects of the Framework Directive on combating terrorism.

The Council of the European Union has declared its intention to speed up the approval process for its proposal for the Framework Decision amending the Framework Decision dated 2002 on combating terrorism. During a round table held by the European Parliament and national Parliaments in Brussels on 7 April 2007, many MPs and MEPs expressed grave concerns regarding non-compliance with the principles of proportionality and the lack of safeguard clauses in the Decision.

The definition of terrorism given in the current Framework Decision is so vague and broad that it can encompass acts of civil disobedience or simply major political or social conflict.

As such, the Decision is a danger for civil liberties and for the rule of law as its vague definitions endanger due process of law, in a particularly sensitive field, such as liberties.

The proposed amendment is currently aimed at obliging Member States to criminalise public provocation to commit a terrorist offence.

Several EU Member States already have provisions on the issue in their legislation, yet as we are dealing with a field which is directly related to freedom of expression, we can only fear the risks of abuse concealed by the extension of such a directive, the core of which is already a danger in itself.

The AEDH considers this new initiative as an additional dangerous development in the fight against terrorism, which, in no way complying with the principle of proportionality, increasingly tends to hold citizens in its invasive grip and to infringe individual and collective liberties.

The AEDH is asking EU citizens to remind their governments and EU institutions that nothing can justify a restriction of liberties, and MEPs to distance themselves from this amendment and not fall into the trap that this new threat to civil liberties in Europe represents.