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Conclusion of an association agreement with Algeria

European Parliament resolution on the conclusion of an Association Agreement with Algeria

The European Parliament,

- having regard to the proposal for a decision of the Council presented by the Commission (COM(2002) 157),
- having regard to the draft Euro-Mediterranean agreement establishing an association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part,
- having regard to its assent of 10 October 2002 concerning the conclusion of this agreement (10819/2002 - COM(2002) 157 – C5-0362/2002 - 2002/0077(AVC))¹,
- A. mindful of the importance of the political, economic and cultural ties that have always existed between the European Union and Algeria,
- B. whereas Algeria is in a difficult transition period marked by a continuation of the most varied forms of violence and political, economic and social uncertainty,
- C. having regard to the opportunities offered by the new agreement as regards political cooperation, strengthening relations between the European Union and Algeria and social, economic and cultural development in a climate of mutual respect,
- D. whereas the economic cooperation provided for under the agreement must address the real employment, housing and water-supply shortages faced by Algeria and help develop public health and education services so as to guarantee social and territorial cohesion,
- E. regarding as wholly inadequate the absence of any reference to political dialogue between the European Parliament and the National People's Assembly of Algeria, given that such dialogue would guarantee parliamentary monitoring of the implementation of the new agreement,
- F. whereas the Algerian people have been suffering violations of human rights for many years,
- G. having regard to Article 2 of the association agreement, which stipulates that respect for democratic principles and fundamental human rights inspire the domestic and external policies of the parties and constitute an essential element of the agreement,
- H. whereas the procedures for assessing the application of Article 2, which establishes respect for fundamental human rights and democratic principles as an essential element of

¹ P5_TA-PROV(2002)0463.

the agreement, are inadequate; whereas neither the European Parliament nor the National People's Assembly of Algeria has been involved in those procedures,

- I. whereas the state of emergency decree of 9 February 1992 and all accompanying decrees and laws remain in force,
 - J. whereas efforts must be continued to guarantee respect for human rights, to improve procedures for defending and protecting fundamental freedoms and to build and strengthen a solid, independent civil society that rejects the use of violence and makes a telling contribution to democratisation and reconciliation in Algeria,
 - K. whereas the fact that it is still possible to act with impunity remains a major obstacle to restoring the rule of law in Algeria,
 - L. whereas terrorism and organised crime pose a threat to the achievement of the aims of the agreement,
 - M. having regard to the contrast between Algeria's huge economic potential and the social circumstances of its population, which feels deprived of the benefits of the economic transition, and, in particular, the dire situation facing the country's young people,
 - N. noting the results of the third multi-party parliamentary elections in Algeria (30 May 2002), which were characterised by the lowest turnout ever (46%, according to official sources); regretting the fact that they took place without the presence of any international observers,
1. Welcomes the Council's plan to conclude a Euro-Mediterranean Association Agreement and hopes that the said agreement will help give decisive impetus to the political and economic reforms required to improve the economic and social situation in Algeria;
 2. Calls on the Council and the Commission urgently to develop together with Algeria plans and measures to fight against extremely high unemployment, especially among the younger generation;
 3. Reasserts that respect for human rights, which includes resolving the problem of the 'disappeared' and eliminating all forms of impunity, is an essential element of the new association agreement;
 4. Takes the view that lifting the state of emergency would contribute to the development of the rule of law and hence to fulfilment of the prior conditions set out in Article 2 of the agreement;
 5. Calls on the Algerian authorities to respond favourably to the repeated requests from various UN special rapporteurs (on summary executions, violence against women, torture, enforced disappearances and adequate housing), from the Special Rapporteur of the Commission on Human Rights on the right to education and from international NGOs to gain access to Algerian territory;
 6. Calls on the Algerian authorities to pursue and step up their efforts to ensure greater respect for fundamental rights such as freedom of the press, freedom of association and

the right to organise, in accordance with the international agreements to which Algeria is a party, and expresses the wish that Algeria will implement the recommendations formulated by the supervisory bodies for those agreements at the earliest opportunity;

7. Urges the Algerian authorities to quickly adopt and implement legislative measures to promote both decentralised decision-making and the linguistic and cultural diversity of the Algerian people;
8. Reasserts the necessity of a withdrawal of the military from political decision-making and of strengthening the political institutions;
9. Calls on Algeria to accept help and support from the European Union in its fight against the devastating 'fundamentalist' terrorism and asks the Council and the Commission to fight against any organisation of or support for this terrorism from European soil;
10. Expresses its solidarity with the families of the victims and with the Algerian people as a whole, and reiterates its condemnation of terrorism in all its forms and its support for an international conference to be convened by the United Nations with a view to signing a general convention on terrorism; in the meantime, encourages the Algerian authorities to sign, ratify and implement without delay all international treaties to combat terrorism and organised crime, whilst fully observing the democratic principles and fundamental rights set out in the Universal Declaration of Human Rights;
11. Regrets that the text of the agreement does not include an explicit reference to interparliamentary dialogue or to relations between the European Parliament and the new National People's Assembly of Algeria, elected on 30 May 2002; hopes that, once it is up and running, the new Euro-Mediterranean Parliamentary Assembly proposed in Valencia will monitor the association agreement and provide it with full democratic legitimacy;
12. Supports the role of civil society and its associations in the pursuit of peace and democracy in Algeria and encourages them to establish relations with civil society and associations in Europe and around the world;
13. Calls on the Council, the Member States and the Commission to promote asylum and immigration policies that respect human rights, are based on the free movement of persons and an improved right to asylum, and are compatible with the provisions on the free movement of persons in the new agreement and with the acquired rights of the legal immigrants of Algerian origin living in the European Union, who should enjoy equal treatment as regards economic, social and cultural rights;
14. Calls on the Commission and the Council to do their utmost to ensure that the association agreement makes for an improvement in the economic and social situation of Algeria's people, and of its young people in particular;
15. Expresses concern at the corruption in various sectors in Algeria and calls on the Algerian authorities and the Commission to take all possible measures to prevent and curb corruption, particularly in view of the opening-up of markets provided for under the agreement, and to introduce monitoring procedures;

16. Calls on the National People's Assembly of Algeria to abolish the death penalty and to draw up, at the earliest opportunity, a just and equitable legal framework for key issues such as the status of women (primarily involving a revision of the Family Code), family law and educational reform;
17. Calls on the Algerian authorities to find a solution to the crisis in Kabylia by instituting legal proceedings against those responsible for the repression there;
18. Calls on the Commission to contribute towards developing cooperation in the public services (transport, energy, telecommunications, education and health) so as to better meet the needs of the Algerian population;
19. Calls on the Commission to carry out a regular assessment of the economic, social and environmental consequences of implementing the Association Agreement;
20. Calls further on the Algerian authorities to improve the country's legislation on the prison system and to take action to guarantee a truly independent justice system in line with international standards in order to strengthen the rule of law in Algeria;
21. Calls on the Commission to guarantee that independent associations can be involved in drawing up and implementing Euro-Mediterranean programmes, including the MEDA Democracy programmes;
22. Believes that all signatories to the Barcelona Declaration must be committed to undertake concrete measures in order to develop and implement all the aspects of the partnership; in this regard urges all parties to define clear mechanisms concerning the implementation of Article 2 of the association agreement;
23. Calls on the Council and the Commission to set in motion procedures for structured political dialogue and for the regular assessment of compliance with Article 2 of the agreement by all the parties thereto, procedures in which the European Parliament, the National People's Assembly of Algeria and Algerian civil society should also be involved;
24. Calls on the Commission to take all of the aspects mentioned in this resolution as points of reference for assessing compliance with the human rights clause;
25. Instructs its President to forward this resolution to the Council, the Commission, the Algerian Government and the National People's Assembly of Algeria.