

**AMNESTY
INTERNATIONAL**

European Institutions Office



Prime Minister Yves Leterme
Prime Minister of Belgium
Rue de la Loi, 16
1000 Brussels

Brussels 4th November 2010
Our ref : B1006

Dear Prime Minister,

Amnesty International's Recommendations to the Belgian Presidency: Mid-term review

At the outset of the Belgian presidency in June we submitted recommendations on the steps the presidency needed to take so as to provide necessary protection to human rights. As the presidency enters its closing two months, we are writing to follow up our recommendations.

Belgium's presidency of the Council of the EU was never going to be easy. The country took over amidst domestic political turmoil and in the aftermath of a serious economic crisis. The Belgian Government also set itself the goal of pursuing implementation of the institutional changes imposed by the Lisbon treaty. This was without doubt a demanding programme and at a trying time, but these challenges do not justify Belgium's lack of attention to some key human rights obligations. We do, however, acknowledge valuable human rights work which the presidency has carried out outside EU territory.

We highlight two human rights issues where Belgium has clearly failed to show leadership: the expulsion of Roma people by member states and the total absence of action to demand accountability for governments' complicity in human rights violations as part of US-led anti-terrorism activities. While these two points do not amount to a comprehensive evaluation of the presidency's human rights work at mid-term, they do reveal how the presidency has evaded its responsibilities to redress human rights violations in Europe. However, there is still time to improve matters. Two months can make an important difference to the EU's human rights policy and, more importantly, to the people who are still suffering from violations of their human rights.

Plus points

Notwithstanding the above shortcomings, we acknowledge the Belgian Ministry of Foreign Affairs' considerable external efforts. Though no longer operating as 'President of the Council' but as part of a joint team under the auspices of the High Representative, Catherine Ashton, the foreign ministry has attempted to proceed with the human rights agenda, taking account of civil society's input.

We particularly commend the Belgian presidency for launching an EU human rights policy review as well as for its support in discussions on the United Nations' Millennium Development Goals, the Arms Trade Treaty

and the death penalty moratorium and resolution. The Belgian foreign ministry has held full discussions with Amnesty International on all these important topics.

Discrimination: Roma expulsions

Amnesty International regrets the Belgian presidency's failure to speak out against discriminatory actions by several member states, notably France and Italy, which have targeted Roma settlers. The Belgian presidency was silent over France's controversial eviction and expulsion of Roma settlers over the summer and autumn of 2010, which are still underway as we write. Nor did it react to the discovery that the French Government had misled the Justice Commissioner, Viviane Reding, by inaccurately denying that France was targeting Roma people as part of its evictions strategy. By failing to express its condemnation of discriminatory action against Roma settlers, and through its silence following Ms Reding's protest, the presidency has unwittingly strengthened the climate of intolerance in Europe and helped fuel a growing sense that discriminatory actions by member states can be committed with impunity.

Amnesty International notes the Belgian presidency's undertaking to take account of the Roma issue in forthcoming events concerning the fight against poverty and discrimination and registers that its objective is to prevent Roma people from being stigmatised. Yet, instead of assisting a search for resolution of recent events and the stigmatisation of Roma people, the forthcoming European Platform for Roma Inclusion in December will focus on early childhood education. While this is certainly an area highlighted by the Roadmap for Roma Inclusion, at this point political-level measures are urgently needed, such as a wide-ranging discussion to inform development of the EU Framework for National Roma Integration Strategies.

Amnesty International urges the Belgian presidency in its remaining weeks to:

- Ensure that the Roma issue appears on the Ministers' Council agenda in December in its own right (not under 'any other business')
- Open the EU Platform for Roma Inclusion for discussion on how EU instruments may best be applied to protect Roma people against stigmatisation and discrimination nationally and at EU level (eg EU Framework for National Roma Integration Strategies)
- Encourage member states to commit themselves to a strong EU Framework for National Roma Integration Strategies which offers common and national targets and allows the Commission to hold member states to account
- Ensures the European Council issues a statement acknowledging that discrimination has taken place in the EU and that member states commit themselves to halting state-sanctioned discrimination and combating discrimination among citizens.

Fight against terrorism and absolute ban on torture

The Belgian presidency has signally failed to introduce into the EU policy agenda the need for research into and accountability for abuses committed as part of the US Government's rendition and secret detention programme. In June, when we made our human rights recommendations to the Belgian presidency, we stressed the need for leadership in following up the European Parliamentary 2007 and 2009 resolutions. These contained specific suggestions, which included holding a high-level meeting to assess EU-wide progress with

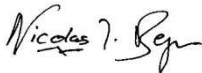
enquiries into member states' complicity in torture, unlawful detention and enforced disappearances. To date, we have not received any information from the Belgian presidency about its work on this strategy. On 15 November we shall issue a report on EU member states' progress towards accountability. Calls to the presidency will be repeated then, and the presidency urged to demonstrate its commitment to holding member states to account.

Amnesty International urges the Belgian presidency in its remaining weeks to:

- Publicly address the need for proper accountability at national and EU level, and at all levels of engagement, including in connection with the case of Muhammad Haydar Zammar, which was highlighted in our Recommendations to the Belgian Presidency.

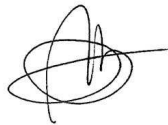
We shall be monitoring your progress over the remaining weeks of the presidency.

Yours sincerely,



Nicolas J. Beger

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Karen Moeskops

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Cc :

M. Olivier Chastel, Secretary of State for European Affairs for the Belgian federal government;
Ms. Joelle Milquet, Deputy Prime Minister and Minister for Employment and Equal Opportunities, in charge of Migration and Asylum Policy for the Belgian federal government;
M. Stefaan De Clerck, Minister of Justice for the Belgian federal government;
M. Steven Vanackere, Deputy Prime Minister and Minister for Foreign Affairs for the Belgian federal government;
M. Philippe Courard, Secretary of State for Social Integration and the Fight Against Poverty for the Belgian federal government;
Ms. Laurette Onkelinx, Deputy Prime Minister and Minister for Social Affairs and Public Health, in charge of Social Integration for the Belgian federal government;
Ms. Catherine Ashton, Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy/Vice President of the European Commission;
Ms. Cecilia Malmström, European Commissioner for Home Affairs
Ms. Viviane Reding, European Commissioner for Justice, Fundamental Rights and Citizenship;
M. Andris Piebalgs, European Commissioner for Development;
M. Stefan Füle, European Commissioner for Enlargement and European Neighbourhood Policy.