

AMNESTY INTERNATIONAL EU OFFICE PRESS RELEASE

AI Index: IOR 61/009/2007

1 March 2007

EU Fundamental Rights: A Long Way to Go

(Brussels, 1 March) The Fundamental Rights Agency (FRA) is a step in the right direction but today's human rights challenges in Europe call for a much stronger mechanism, says Amnesty International on day of the opening of the new Agency in Vienna. *(To read Amnesty International's "speech" [click here](#))*

The "Fundamental Rights Agency", despite its name, is a missed opportunity. The reluctance of member states to address human rights at home, fully exposed during the discussions over the Agency's scope of action, resulted in a minimalist mandate that contrasts sharply with the serious scale and nature of human rights problems in the EU.

In Vienna to attend the opening ceremony of the FRA, Amnesty International's EU Office Director, Dick Oosting, recalled the tone that dominated the negotiations:

"Such was the desire not to offend anyone that at times it felt as if the Agency was being created to protect member states instead of holding them to account", said Dick Oosting.

Amnesty International looks forward to supporting the FRA's work in the important area of racism and discrimination – the only major European human rights issue that it can effectively address. It is a crucial area considering how it cuts across and exacerbates other forms of abuse.

As a leading human rights organisation however, Amnesty International deeply regrets that the FRA will be effectively cut off from all other key areas essential for people in Europe and for the EU's credibility in the world:

Counter-terrorism

- The scandal of extraordinary renditions and the relation between anti-terror laws and basic rights and freedoms are so densely packed with human rights questions that it should be a mandatory theme for any "fundamental rights" body. It is not.

Police abuse

- Europe continues to face cases of excessive use of force by police, maltreatment in custody and disproportionate use of firearms but as law enforcement remains a national competence these issues are excluded from the FRA's mandate.

Asylum and immigration

- The Agency will be competent to comment on the implementation of Community law on this area but this does not entail comprehensive monitoring. The increasing and disproportionate use of detention of asylum seekers and migrants, including children, pregnant women and traumatised persons is excluded.

Fair trial

- Access to a lawyer, interpretation or legal aid after arrest are still not a given in Europe, in fact, a number of member states have still not implemented adequate procedural safeguards. EU legislation is stalled and the FRA cannot address these problems.

Violence against women

- Despite the fact that psychological, physical and sexual violence against women and girls remains pervasive across Europe, the FRA is neither mandated to analyse national legislation in this matter nor to suggest measures at EU level.

Trafficking in human beings

- The numbers of trafficked people in Europe have dramatically increased over the past decade but many states have failed to address the issue of protection of trafficked persons. Here too, the Agency will not be able to help provide solutions.

While all these issues remain unaddressed, Amnesty International calls on the EU to engage with the Council of Europe to develop a vision on how to forge a comprehensive “European human rights system”.

“The Fundamental Rights Agency will only be able to protect human rights in Europe if there is a serious effort to develop a coherent protection system with effective accountability”, said Dick Oosting.

For further comment/background and interviews: Amnesty International EU Office (Brussels)

Tel: +32-2-5482773

Fax: +32-2-5025686

Email: AmnestyIntl@aieu.be

Web-site: <http://www.amnesty-eu.org>