

監察院出席「華隆地區監察組織國際研討
會暨 15 週年紀念會」暨拜會比利時聯邦監
察使及歐盟監察使出國報告

代表團團長：洪委員昭男

團 員：葛委員永光

汪專員林玲

出國日期：中華民國 98 年 11 月 18 日至 12 月 1 日

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監察院出席「華隆地區監察組織國際研討會暨 15 週年紀念會」

出國報告

壹、前言

本院於 1994 年加入國際監察組織，並在 1995 年成立國際事務小組，自國際事務小組成立以來，積極參與亞洲、歐洲、北美及中南美洲等各項國際會議，並編譯各國監察制度作為本院推動監察及人權業務之參酌，也藉此讓國人更加瞭解各國監察制度，對本國監察及人權制度宣揚不遺餘力。

本院國際事務小組長期致力於國際監察組織及人權宣揚等各項事務推動、參與及編譯，惟各國監察制度多元，國際監察組織會員國眾多，且受限於經費、地域、國情、政治現況等，仍有許多監察組織、制度、職權與業務等尚無法一一深入探析。

此行係本院首次參加比利時國際監察會議，由於本院歷年編譯之各項國際監察制度尚無論述該國監察組織介紹；是以，此行對於該國監察制度之瞭解與互動極具參考性。而本次會議期間，主辦單位於第一天開幕式即提及感謝遠道而來的臺灣朋友共襄盛舉，之後亦多次提及感謝臺

灣的蒞臨與會，實已達到提昇本院與該組織之友好關係，並建立雙方良好的互動基礎，對於促進我國監察制度之推廣與宣揚，極具重要性。

另本次與會期間並巡察我駐歐盟兼比利時臺北代表處及駐法國臺北代表處，俾瞭解當地僑情及外交等工作推展現況。

一、出國日期：98年11月18日至12月1日。

二、出席會議名稱：「華隆地區監察組織國際研討會暨15週年紀念會」(International Symposium & 15th Anniversary of the Institution of the Walloon Region's Ombudsman)

三、代表團成員：洪委員昭男、葛委員永光、汪專員林玲。

貳、華隆地區監察組織國際研討會

一、開會時間、地點及與會人員

(一)開會日期：98年11月23日至11月25日

(二)開會地點：比利時南瑪市議會中心(Namur Congress Centre, Belgium)

(三)主辦單位：華隆地區監察使辦公室(Walloon Region's Ombudsman)

(四) 大會語言：使用語言以法語為主，會場並備有英語及西班牙語同步翻譯。

(五) 會議主題：會議主題為「媒體與協調 (MEDIAtisaTION)」，主要係探討媒體、行政、調解及監察使之互動與溝通。

(六) 參加國家及人數：參加國家包括加拿大、比利時、盧森堡、法國、西班牙、德國、瑞典、荷蘭、義大利、愛爾蘭、阿爾巴尼亞、希臘、馬利、貝南、馬達加斯加、布吉納法索及中華民國等共 17 個國家，約 140 人報名，100 人與會。

二、會議期程與安排：

華隆地區監察組織國際研討會暨 15 週年紀念會於比利時華隆區南瑪市舉行，為期 3 天(11 月 23 日至 11 月 25 日)。主持人為華隆地區監察使 Frédéric Bovesse 先生，另邀請各國監察使、護民官、行政官員、學者、專家、國會議員、檢察官、新聞工作者、律師等進行分組研討會。

(一) 11 月 23 日上午：23 日上午為開幕式，之後進入正式研討會。上午為全體討論會，由愛爾蘭監察使 Emily O'REILLY 女士，就愛爾蘭的監察工作提出報告，主要

內容以愛爾蘭監察機關與媒體互動為主題，提供與會者該國監察使與平面媒體間的互動及監察機關如何藉由與媒體的合作，共同推動社會環境的改善並減少行政疏失，俾解決陳情人的抱怨。

(二) 11月23日下午：分1、2場討論會，由與會者擇一參加。

1. 第1場討論會主題為：「調解及行政如何對外溝通」，由盧森堡監察使 Marc Fischbach 先生、華隆公共事業秘書長 Danielle Sarlet 先生及比利時根特地區監察使 Rita Passemiers 女士共同主持。
2. 第2場討論會主題為：「媒體-政治人物的敏感用途」由比利時聯邦監察使 Catherine De Bruecker 女士、西班牙加泰隆尼亞地區護民官 Rafael Ribo 先生、德國監察使 Ulrich Galle 先生及加拿大魁北克監察使 Raymonde Saint-Germain 先生共同主持。

(三) 11月23日紀念會晚宴：晚宴部分，主辦單位安排於華隆行政大樓辦理，本場所為華隆區官方各項重要宴會主要舉辦地點，紀念會晚宴以華隆監察使名義舉辦，並安排具東歐及吉普賽風格的現場演奏及演唱。

值得一提的是，本次與會代表團，亞洲地區僅臺灣代表參加，主辦單位—華隆地區監察使 Frédéric Bovesse 先生特地於會場表達，感謝臺灣朋友遠道而來蒞臨與會，以中文「乾杯」請與會者一同舉杯慶祝。本次晚宴讓臺灣代表團與所有與會者在尊榮和諧的氣氛下，建立良好的友誼並留下既深刻又難忘的回憶。

(四) 11月24日上午：分3、4場討論會，由與會者擇一參加。

1. 第3場討論會主題為：「對媒體而言『調解』不夠煽情」，由義大利監察使 Flavio Curto 先生、布吉納法索首席監察使 Mafarma Sanogo 先生、法文電台協會 (CTF) 秘書長 Alain Gerlache 共同主持。
2. 第4場討論會主題為：「當媒體主導監察使辦案」，由曾任檢察官、議員及新聞工作者 Jean Paul 女士、公共電視 (RTBF) 律師 Annie Al 女士、Test-achats 雜誌編輯 Jean Philippe Ducart 女士及比利時法國協會監察使 Marianne De Boeck 女士共同主持。

(五) 11月24日下午：第5場討論會及閉幕式。

1. 第 5 場討論會主題為：「溝通工具及方法的演進」，由 Catholic University of Louvain 教授 Marie-Elisabeth Volckrick 女士、University of Anvers 教授及前任芬蘭協會監察使 Bernard Hubeau 先生與 Carlos III of Madrid 教授 Ricardo Cabrales 先生共同主持。
2. 閉幕式由 RTL-TVI 團隊執行長、歐洲商業電視協會理事長 Philippe Delusinne 先生及華隆監察使 Frédéric Bovesse 先生共同主持並邀請南瑪省長 Jacques Etienne 先生蒞臨，表達對與會者熱情參與之感謝。

(六) 11 月 25 日上午：除會議之外，主辦單位尚安排免費行程，提供與會者南瑪市導覽及簡介等資訊，使參加者得以欣賞此一純樸且極富歷史之華隆區南瑪省首府，顯見主辦單位之用心。

參、比利時監察組織簡介

比利時係聯邦制王國，由法語、荷語及德語(僅佔人口約 1%)3 個社區及華隆區、佛拉芒區及布魯塞爾-首都區 3 行政區所組成，除聯邦有監察使外，每區亦均有各自之監

察使。

本次參加會議地點南瑪(Namur)係比利時華隆地區(屬法語區)南瑪省首府，該區於華隆議會下設有華隆監察使辦公室，該辦公室係於1994年12月22日依據華隆議會法令成立，並為國際監察組織(IOI)正式會員，適逢華隆監察使辦公室成立15週年，特辦理本次國際研討會，俾與各國監察使交流，並同時慶祝該組織15週年慶。

比利時雖國土面積不大，然因複雜之政治及歷史背景，其監察制度亦相當多元，故欲瞭解該國監察制度，應對其政府體制有概略觀念。因此，在介紹比國監察制度前，特對其政府體制作簡要說明。

一、政府體制¹：

比利時王國是一聯邦體制之西歐國家，並為歐洲聯盟創始會員國之一，首都布魯塞爾是歐盟與北大西洋公約組織等大型國際組織的總部所在地。比利時自北起順時針分別與荷蘭、德國、盧森堡和法國接壤，西面則濱臨北海；國土涵蓋30,528平方公里(11,787平方英里)，人口約達1,070萬。

¹ 部分內容取自於維基百科，<http://zh.wikipedia.org/zh-tw/%E6%AF%94%E5%88%A9%E6%99%82> (瀏覽日期：2009.12.29)。

自從比利時聯邦化後，政府結構更趨複雜。在聯邦政府下根據語言族群而設立了 3 個社區，即法語社區 (The French Community)、荷語社區 (The Flemish Community) 以及德語社區 (The German Community)；同時又設立了 3 個行政區，即華隆區 (The Walloon Region)、佛拉芒區 (The Flemish Region) 和布魯塞爾-首都區 (The Region of Brussels-Capital)。社區和行政區互相覆蓋，分工明確。其中荷語社區政府和佛拉芒行政區政府合併為一個統一的佛拉芒政府；華隆行政區大部分為法語社區，但東部邊疆自治行政區為德語社區；布魯塞爾-首都行政區為三語共處，但以法語人口居多。聯邦、社區、行政區分工如下：

- (一) 聯邦政府：負責有關國家整體利益的事務，如外交、國防、經濟、社會福利、公共安全、運輸、通訊等。
- (二) 社區政府：負責語言、文化和教育，如：學校、圖書館、戲院等。
- (三) 行政區政府：負責當地的土地與財產事務，地域經濟、規劃、建屋、交通等。

二、監察體制²：

由於比利時政治體制包括聯邦政府、社區及行政區三種，各自獨立運作，而比利時首都布魯塞爾又是歐盟及北約總部 900 多個重要機構之所在地，因此監察制度相當複雜，要特別說明的是，各監察使及監察服務單位間無相互隸屬，各自獨立運作。

(一) 監察使及監察辦公室分布概況

1. 4 種國會（議會）監察使（4 種監察使均稱為 Parliamentary Ombudsman，惟實質上，聯邦為國會監察使，其餘屬地方議會監察使）：包括比利時聯邦監察使（The Federal Ombudsman）、法語社區監察使辦公室（The office of the Ombudsman of the French Community）、華隆行政區監察使辦公室（The office of the Ombudsman of the Walloon Region）、佛拉芒監察使（The Flemish Ombudsman）。

2. 10 個區域監察服務（10 Sectorial Ombudsman Services）：

(1) 由佛拉芒議會指派：兒童權利聯絡官。

² 資料來源：本團拜會比利時聯邦監察使之會談內容暨出國人員翻譯及彙整自比利時聯邦監察使公共關係聯絡主任 Mr. Patrick De Becker 提供之資料。

(2) 由政府機關指派：

- a. 聯邦政府指派：包括郵政服務、比利時鐵路公司、電信服務、補助款服務。
- b. 首都區域政府指派：布魯塞爾都市運輸公司。

(3) 由私人機關指派：

- a. 保險事務
- b. 銀行、信用及投資事務
- c. 私部門徵才與雇用
- d. 天主教國人健康服務

3. 10 個地方監察服務 (10 Local Ombudsman Services)：比利時王國 589 個市政自治機關，共有 10 個地方監察服務單位，包括安德衛普、布魯日、沙勒羅伊、高洛塞、根特、拉洛維爾、魯文、麥克連、普魯姆及聖尼克拉斯。

4. 茲以比利時聯邦王國監察組織及職權行使概況表³及比利時聯邦王國監察組織圖⁴說明比利時王國監察制度：

³表 1 資料來源：依據比利時聯邦監察使公共關係聯絡主任 Mr. Patrick De Becker 提供之資料，由出國人員自行翻譯整理及繪表。

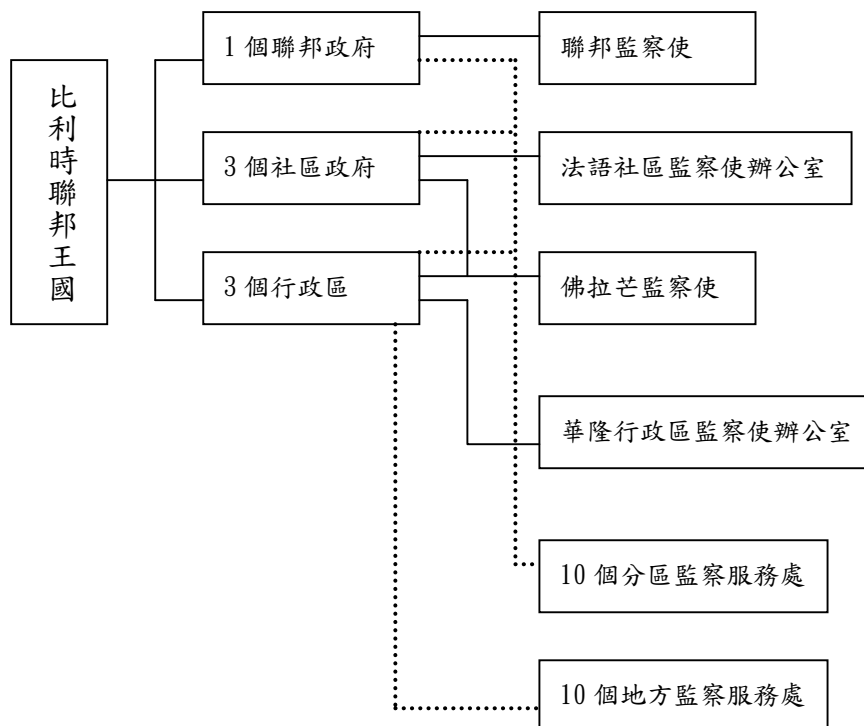
⁴圖 1 資料來源：同註 3。

表 1-比利時聯邦王國監察組織及職權行使概況表

組織		職權	
		立法	執行
比利時 王國 Belgium	聯邦 Federal	<ul style="list-style-type: none"> • 聯邦監察使 	<ul style="list-style-type: none"> • 比利時鐵路公司 • 補助款服務 • 郵政服務 • 電信服務
	社區 Communities	<ul style="list-style-type: none"> • 法語社區監察使辦公室 • 佛拉芒監察使 • 兒童權利聯絡官 	<ul style="list-style-type: none"> • 布魯塞爾都市運輸公司
	行政區 Regions	<ul style="list-style-type: none"> • 華隆行政區監察使辦公室 • 佛拉芒監察使 	
	市政府 Municipalities	<ul style="list-style-type: none"> • 安德衛普 • 布魯日 • 沙勒羅伊 • 高洛塞 • 根特 • 拉洛維爾 • 魯文 • 麥克連 • 普魯姆 • 聖尼克拉斯 	
私人機關 Private organization		<ul style="list-style-type: none"> • 保險事務 • 銀行、信用及投資事務 • 私部門徵才與雇用 • 天主教國人健康服務 	

備註：各監察使及監察服務單位間無相互隸屬，各自獨立運作。

圖 1-比利時聯邦王國監察組織圖



(二) 監察使之任用：

不同地區與行政體之監察使任用方式不一，但大同小異，茲將各地區監察使任用資格表列如下：

表 2-比利時監察使任用方式概況表

監察使	任期	任用資格
比利時聯邦監察使	一任 6 年，最多連任 1 次	1. 聯邦人事考選辦公室推薦給國會任命 2. 比利時公民 3. Level 1 以上學歷 4. 具其他語言能力證明 5. 5 年以上相關工作經驗 6. 通過聯邦人事考選辦公室之筆試及口試
法語社區監察使	一任 6 年，最多	1. 由議會從有意願擔任監察使之候選人中直接任命

	連任 1 次	2. 無犯罪紀錄 3. 為比利時或歐盟公民 4. 具高等教育學位 5. 5 年以上相關工作經驗
華隆地區監察使	一任 6 年，最多連任 1 次	1. 由議會從有意願擔任監察使之候選人中直接任命 2. 無犯罪紀錄 3. Level 1 以上學歷 4. 5 年以上相關工作經驗 5. 比利時公民及華隆地區之居民
佛拉芒監察使	一任 6 年，最多連任 1 次	1. 由議會從有意願擔任監察使之候選人中選舉任命 2. 比利時公民 3. 無犯罪紀錄 4. Level A 以上學歷

(三) 主要執掌及功能：

1. 接受及審視人民對該區(或聯邦)政府機關所作行為之陳情，惟如屬地方性之陳請須直接向地方或分區監察服務處陳情。
2. 經議會要求，針對政府機關運作進行調查，惟大部分之監察使並無主動調查權。
3. 依據對前二者之審視及調查結果，向國會(議會)、政府及各機關等提出建議，必要時並提請相關機關改善，惟監察使並無懲戒或處分權。
4. 定期向國會(議會)或指派單位提出報告。

(四)陳情方式：原則以書面方式(郵寄、傳真或電子郵件)，另自 2008 年 10 月起，聯邦監察使特別設立免費電話專線，供民眾陳情。匿名陳情不予處理，除非是特別重大案件由國會(議會)提出請予調查。

肆、會議紀要：

一、大會行政相關事宜：

(一) 本次會議所在地為比利時華隆區南瑪市政中心，由華隆監察使辦公室負責大會議程及行政相關事項，該辦公室僅有工作同仁 14 位，負責本次會議全部行程安排，在人力如此精簡的情況下，仍不遺餘力的仔細安排各項細節，該區因係屬法語區，各會議之討論雖以法語為主，但全程均有英文及西班牙文同步翻譯，會議場地雖非大型國際會議中心，但仍隨時可見主辦單位規劃之用心。

(二) 會議除由華隆監察使 Frédéric Bovesse 先生主持之外，亦安排當地新聞節目電視主持人共同主持，每場次均有 3 位以上監察使、專家或學者共同主持；另外，大會安排與會者在南瑪市行政中心與南瑪省長午宴，也為每位與會者準備精美的南瑪省歷

史沿革介紹資料，並致贈與會者當地精緻小巧之手工陶藝品，各項安排相當貼心。

二、本團與大會及與會者之互動

- (一) 各國監察使充分交換意見並建立良好友誼：大會主辦人華隆監察使 Frédéric Bovesse 先生對於本團出席，特別於開幕式及會議中表達歡迎及感謝，並熱情的在 11 月 23 日的晚宴以中文「乾杯」請與會者一同舉杯慶祝。會議期間，洪委員昭男與葛委員永光除與大會主辦單位華隆監察使 Bovesse 先生互動良好外，與南瑪省長 Jacques Etienne 先生相談甚歡，並與魁北克監察使 Johanne Savard 女士、貝南共和國 Albert Tevoedjre 先生、馬達加斯加護民官 Monique Andreas 先生、馬利共和國護民官 Ahmadou Demba Diallo 先生、比利時聯邦監察使 Catherine De Bruecker 女士、Guido Schuermans 先生、盧森堡監察使 Serge Legil 先生、希臘資深調查員 Yiannis Boutselis 先生、瑞典調查員 Mia Persson 女士等交換意見，並與華隆監察使辦公室工作人員 Marie-Jose Chidiac 女士、Sylvianne Delleuse 女士、David

Dannevoye 先生互動密切。

(二) 主辦單位感謝本院致贈之紀念品：由於此行為本院第 1 次參與比利時法語系之「華隆地區監察使國際研討會暨 15 週年紀念會」，為建立與會者間友好關係，特贈送與該華隆區代表徽制-「公雞」相符之故宮金箔畫富貴金雞圖，以慶祝華隆監察使辦公室成立 15 週年紀念，並提供本院簡介及年度工作概況，俾宣揚本院職權。



本團洪委員昭男（左 1）及葛委員永光（左 2）與南瑪省長 Mr. Jacques Etienne（右 2）及華隆監察使 Mr. Frédéric Bovesse（右 1）合影於南瑪市政中心。

三、議題討論內容

(一) 調解及行政如何對外溝通：盧森堡監察使 Marc Fischbach 先生及華隆公共事業秘書長 Danielle

Sarlet 先生等表示，現今龐大的行政體系及複雜的行政流程常使民眾不知所措，監察使的角色也愈形重要，而科技日新月異各種新的制度、新的改變及新的功能，民眾也往往不知如何汲取，因此對於政府或公營機關的行政更加陌生，以上種種愈發彰顯監察使角色的重要性。而行政機關在依法行政之際，亦應考量兼顧環境際遇及特殊性，才能真正發揮「真」平等。因此要使調解及行政得以對外溝通，要求行政機關各項資訊的透明化、流程簡單化極具重要性，如此，方能減少衝突進而促進溝通。而監察使本身角色應具創造力，除了強化監察使的獨立功能，更應善用科技資訊協助辦案，以建設性的觀念來促使行政機關改善與陳情人間的互動與溝通。

(二) 當媒體主導監察使辦案：西班牙加泰隆尼亞地區護民官 Rafael Ribo 先生及德國監察使 Ulrich Galle 先生等表示，歐洲國家善用媒體與民眾溝通，並且常有專設或固定的節目與時段和媒體及社會民眾互動。曾任檢察官、議員及新聞工作者的 Jean-Paul 表示，媒體與監察使的關係應該要創造雙

贏的局面。有時監察使、媒體與民眾是三角關係，環環相扣，媒體往往並不報導監察使所提供的案件，而民眾也常常只選擇性的記憶他們所要瞭解的事項。不過，可以做到的是，一位監察使應該要審慎選擇他要在電視媒體發表的案件，而且也要有勇氣堅持在「正義」的一面，他所提供的資訊必須是精確的，並且足以吸引媒體針對該個案角色與內容作深入性的報導，有時巧妙的運用媒體的力量，也可以促進監察使在行使職權之「力量」，並藉此奠定監察使應該具有的「權力」。

(三) 溝通工具及方法的演進： Marie-Elisabeth Volckrick 教授及 Bernard Hubeau 教授等表示，國家及社會局勢不斷改變，要有新思維、新觀念，更要有全新溝通模式，尤其在現今許多社會價值判斷與標準已失之平衡，人民無所適從，監察使常常是人民獲得公平對待的重要管道；也因此，監察使的角色愈形重要。各國的資料在在顯示每個國家人民抱怨的案件都不斷的成長，是以，每一位監察機構的工作人員（不只是監察使本身），溝通的技巧非常重要，而整個溝通模式的演進，不外乎是愈形開放，懂得傾聽和引導。秉持服務的觀念是必要的，

最重要的是，要有一套標準作業程序讓每一位新舊人員都很容易的上手。

伍、拜會比利時聯邦監察使

一、拜會日期：98 年 11 月 20 日上午 11 時至下午 2 時

二、拜會紀要：

本次代表團於參加 11 月 23 日之會議前，安排拜會比利時聯邦監察使 Ms. Catherine De Bruecker、Mr. Guido Schuermans。依據比利時聯邦國會 1995 年 3 月 22 日訂定之比利時聯邦監察使法第 22 條規定，聯邦監察使資格需為比利時公民，Level 1 以上學歷，5 年以上相關工作經驗，通過人事考選辦公室之筆試及口試考試後，推薦給國會，再由國會從推薦之候選人名單，分別就法語區及荷語區專長者各選取 1 位，共 2 位聯邦監察使。

本次拜會係本院近年來首次與比國聯邦監察使進行交流，2 位聯邦監察使安排公共關係聯絡主任 Mr. Patrick De Becker 詳細介紹比利時聯邦監察使業務職掌，本團洪委員昭男及葛委員永光除代表本院表達謝意外，並與 2 位監察使針對中西方監察職權及調查程序交換意見；藉由本次拜會亦間接促進我駐歐盟兼比利時臺北代表處首次與比利時監察使進行交流，並藉此對比國監察制度有進一步瞭解，為彼此建立良好互動基礎。

三、比利時聯邦監察使辦公室簡介⁵：

比利時聯邦監察使依據比利時聯邦監察使法第 7 條規定獨立行使職權，聯邦監察使為比利時公民與行政間的重要橋樑，茲將其資訊說明如下：

(一) 機關設置時間：1997 年

(二) 聯邦監察使(Le Médiateur fédéral)：Catherine De Bruecker(法語監察使)、Guido Schuermans(荷語監察使)。謹按比利時係聯邦制王國，由法語、荷語及德語(僅佔人口約 1%)三文化體(Communauté)及華隆區(La Wallonie，南部，法語為主)、佛拉芒區(La Flandre，荷語為主)及首都區(La Région du Capitale-Bruxelles)等三區所組成，除聯邦有監察使外，每區亦均有各自之監察使。監察使任期 6 年，經聯邦人事考選辦公室(SELOR)選薦，由眾議院任命，獨立行使職權，設有秘書處及相關司處，自行考選相關工作人員。

(三) 機構編制：46 人，年度預算約 450 萬歐元。

(四) 政府體制：聯邦及內閣制之君主立憲王國。

(五) 主要執掌及功能：

1. 接受及審視聯邦政府機關對人民作為之陳情。

⁵ 資料來源：翻譯自比利時聯邦監察使 2008 年年度報告 (The federal Ombudsman 2008 Annual Report)。

2. 經聯邦眾議院要求，針對聯邦政府機關運作情形進行調查，惟聯邦監察使並無主動調查權。
3. 依據對前二者之審視及調查結果，向聯邦政府及國會提出建議，必要時並提請相關機關改善，惟聯邦監察使並無懲戒或處分權。
4. 定期向聯邦國會提出報告。
5. 比國聯邦監察使與瑞典等國之國會監察使不同，除非眾議院要求，否則無法主動針對政府作為進行調查，亦無法起訴違法失職官員。

(六) 陳情方式：原則以書面方式(郵寄、傳真或電子郵件)，惟自 2008 年 10 月起，聯邦監察使特別設立免費電話專線，供民眾陳情。

(七) 工作成效：2008 年總計接獲 5,466 案件(較 2007 年增加 209 件)，為歷年之最，包括 4,509 件陳情案及 957 件陳請提供資訊案。在前述 4,509 陳情案中有 1,001 件內容不符陳情規定，152 件轉至其他協調機關，另有 3,356 件依程序辦理，其中 1,267 案經通知相關機關已有改善；截至 2008 年 12 月結束，仍有 1,524 件在處理中。總計比國監察使成立 12 年來，計接獲 45,381 案件，包括 35,991

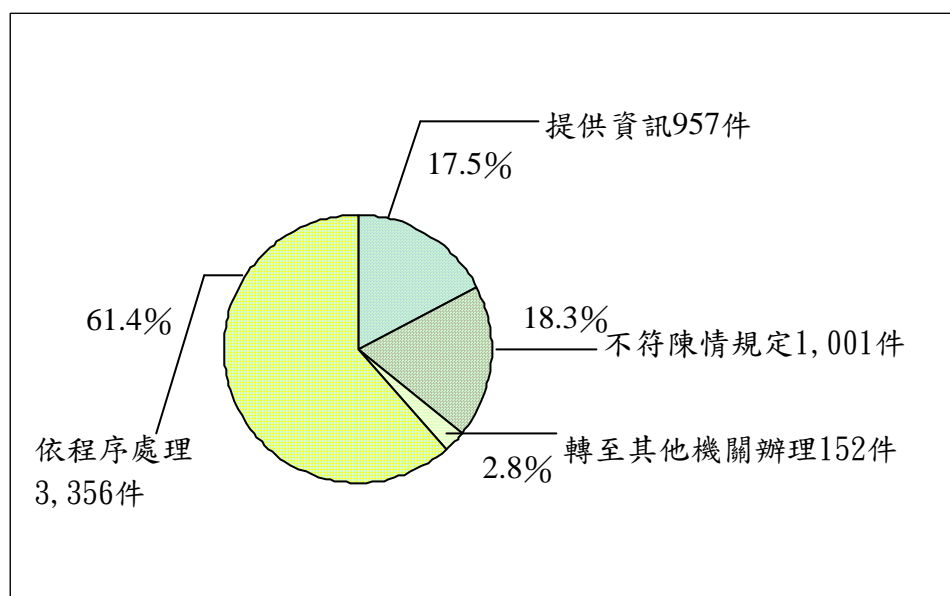
件陳情案。

表 3-比利時聯邦監察使 2008 年接獲之陳情案件處理情形

單位：件

項目	提供資訊	不符陳情規定	轉至其他機關	依程序辦理	總計
總計	957	1,001	152	3,356	5,466
百分比	17.5	18.3	2.8	61.4	100

圖 2-比利時聯邦監察使 2008 年接獲之陳情案件比例圖



陸、拜會歐盟監察使

一、拜會日期：98 年 11 月 27 日上午 9 時 30 至 11 時

二、拜會紀要：

本次代表團於會議結束後轉往史特拉斯堡 (Strasbourg) 拜會歐盟監察使 Mr. P. Nikiforos Diamandouros，渠特別於前往歐盟議會進行報告前，撥冗

與我會晤，熱誠接待，並安排法務專員 Mr. Peter Bonnor 介紹歐盟監察相關業務。

歐盟監察使制度是依據 1992 年的馬斯垂克條約 (Maastricht Treaty) 而設，而歐盟使監察辦公室係依據歐盟議會 1994 年 3 月 9 日之決議書於 1995 年正式成立 (Decision of the European Parliament)，第一任監察使於 1995 年 7 月 12 日由歐盟議會遴選任職，歐盟監察使各項職權詳述於「歐盟監察使基本條約」 (The Treaty Basis for the European Ombudsman)。本次係本院近年來第 2 次拜會 D 君，雙方持續建立良好互動基礎，併同拜會者除本院洪委員昭男及葛委員永光外，尚有我駐法國臺北代表處呂代表慶龍及駐歐盟兼比利時臺北代表處許副代表貞吉，2 位委員除對渠表達誠摯謝意外，對歐盟監察使辦公室以 23 種語言，服務 27 個歐盟會員國之成效表達敬佩，並藉此介紹本院監察制度與職權。

三、歐盟監察使辦公室簡介⁶：

歐盟監察使依據「歐盟監察使基本條約」獨立行使職權，該辦公室堅持與民為友，尊重人權，戮力於解決來自歐盟各國民眾之抱怨與陳情，茲將其資訊說明如下：

(一) 機關設置時間：1995 年

⁶ 資料來源：部分翻譯自歐盟監察使 2008 年年度報告 (The European Ombudsman 2008 Annual Report) 及歐盟監察使辦公室 2005 年出版之歐盟監察使一起源、設立與演進一書 (The European Ombudsman Origins, Establishment, Evolution)。

(二) 歐盟監察使：Mr. P. Nikiforos Diamandouros，精通 6 國語言（英語、法語、義大利語、德語、西班牙語及葡萄牙語），曾任希臘監察使、希臘國家人權委員會委員、紐約社會科學研究委員會主任等，自 2003 年就職至今已連任 3 次（第 3 次連任於 99 年 1 月 20 日就職）。監察使任期 5 年，經歐盟議會選薦任命，與歐盟議員同任期，獨立行使職權，設有秘書處、法律處暨行政及財務處，自行遴選相關工作人員。

(三) 機構編制：57 人（2009 年增加為 63 人），年度預算約 850 萬歐元。

(四) 政府體制：歐盟共同體制。

(五) 主要執掌及功能：

1. 處理歐盟內各機關團體陳情案，陳情內容得包括：

- (1) 行政疏失
- (2) 不公允
- (3) 歧視
- (4) 濫用權力
- (5) 機關未答覆
- (6) 機關拒絕提供資訊
- (7) 不必要的延遲

2. 定期向歐盟國會提出報告。

3. 可申請對機關團體主動調查，但無法起訴違法失職官員。
 4. 對機關團體具建議權，歐盟監察使所提出之建議雖無強制拘束力，但大多數的建議均獲相關行政機關接受。尤其在每年向歐洲議會所提出的報告，極具影響力。
 5. 歐盟監察使具審計權，歐盟監察使辦公室負責審計業務，由歐盟審計院負責監督所有歐盟機關執行預算的情形，但若民眾向歐盟監察使陳情有關歐盟機關的審計案件，歐盟監察使也可進行調查。
- (六) 陳情方式：原則以郵寄、傳真或電子郵件提出陳情案，惟為確認陳情人提供了所有必要資訊，均建議陳情人填寫一份陳情表格郵寄歐盟使監察辦公室辦理登記。
- (七) 工作成效：

2008 年總計接獲 3,406 案件(較 2007 年增加 195 件),其中有 60 件於 2009 年方辦理登記受理,另 3,346 件於 2008 年依程序進行處理。3,346 件中 704 已答覆陳情人,維持原行政作為,無進一步處理,293 件展開調查,2,349 件轉至其他機關處理。總計自歐盟監察使辦公室成立 14 年來,接獲 30,971 件陳情案。

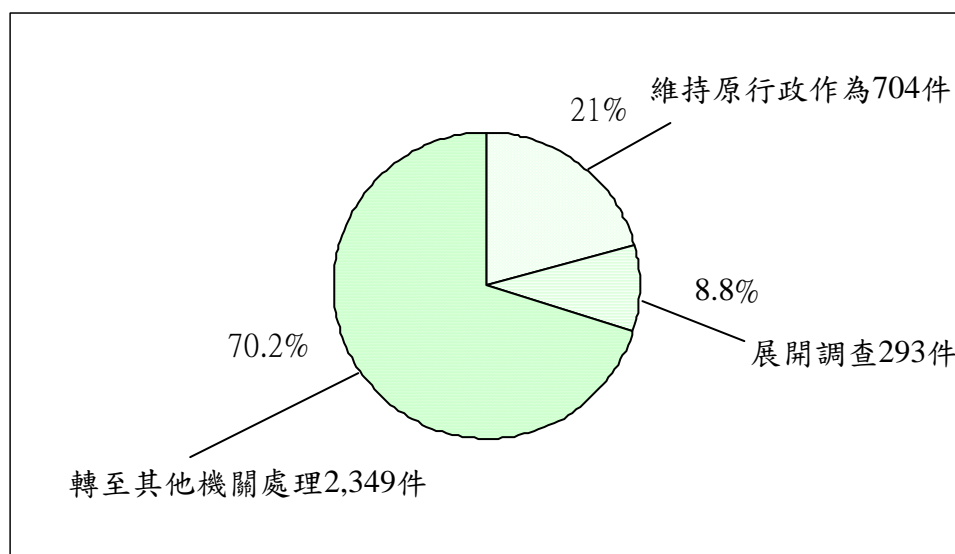
表 4-歐盟監察使 2008 年接獲之陳情案件處理情形

單位：件

項目	依程序處理			2008 年 陳情, 2009 年方登記	總計
	維持原行政作為	展開調查	轉至其他機關處理		
小計	704	293	2,349		
合計	3,346			60	3,406
百分比	21	8.8	70.2	-	-

備註：百分比計算以「依程序處理」之總件數 3,346 為分母，不包括 2009 年登記之 60 件。

圖 3-歐盟監察使 2008 年接獲之陳情案件比例圖



柒、巡察我駐歐盟兼比利時臺北代表處

一、巡察日期：98 年 11 月 20 日上午 10 時至 11 時

二、巡察紀要：

(一) 本次巡察由許副代表貞吉率各級主管人員進行業

務簡報，範圍涵蓋對歐盟及比利時政務、領務、僑務、文化、新聞及貿易業務等。該處現計含外交部在內等國內各單位派駐人員 32 人，雇員(工) 14 人，總計 46 人，並設有「政務組」、「議會組」、「行政組」、「業務組」等共 10 組。

(二) 本團巡察期間適逢歐盟理事會主席改選，由比利時總理 Mr. Van Rompuy 獲選，歐盟理事會主要係審核歐盟執行委員會法令草案，設有理事長、部長、秘書長、常任代表委員會及常任代表委員會下轄 250 個次級委員會及工作小組。每年召開 4 次領袖高峰會，共有 9 個部長理事會，常任代表委員會每週集會，與我有關連者為，每週三舉行由常任代表出席之亞洲事務協調委員會 (COASI，為每月第一週由會員國首都亞太司長及官員與會)。

(三) 巡察期間，本團並請代表處敦促歐方成立類似「全美中國研究協會」(American Association for Chinese Studies, AACCS)之智庫，歐洲之「臺灣研究」，雖不見如美國「中國研究學會」有類似鑽研

臺灣議題之研究學會，惟歐洲學術界有關臺灣議題之研究已興起多年，代表處表示日後將加強與專研臺灣議題學者之雙向交流，如此，除可培養我學術及外交領袖人才外，並可緊密建立彼此雙邊關係與脈絡。此外，本團亦請代表處瞭解歐洲「人民黨團」對我死刑存廢之立場及我與「國際無疆界人權組織」合作情形等議題，並針對議題作進一步交流討論。

- (四) 最後，本團慰勉我駐歐盟兼比利時臺北代表處人員之辛苦，並期許各單位齊心協力，深植外交種子，秉持不屈不撓之堅毅精神，代表國家及全體人民展現我深度民主國家氣質及高度公民素養，不分彼此，積極推動各項業務。

捌、巡察我駐法國臺北代表處：

一、巡察時間：98年11月27日下午5時30至7時

二、巡察紀要：

- (一) 本次巡察由呂代表慶龍率各級主管人員進行業務簡報，範圍涵蓋對法國政務工作、領務、僑務、教育、文化、新聞及貿易業務等。該處現計含外

交部在內等國內各單位派駐人員 44 人，雇員(工) 20 人，總計 64 人，並設有「業務組」、「服務組」、「國會組」、「資料組」、「採購組」等共 13 組，業務座談後，代表處並安排本團與當地僑領座談。

(二) 本團對我駐法國臺北代表處長期努力致力於台法間文化藝術提昇與交流及開拓我國際參與空間等表達支持。並期許各單位攜手努力，用 MIT(made in Taiwan)的文化、科技創意，持續同心推動我外交發展，以落實促進對外經貿、推介台灣文化及提升國家形象等三大期望。

(三) 本團與旅法僑領主要座談內容包括：

1. 目前國內並沒有派駐記者在歐洲，歐洲地區活動甚少報導，為強化僑胞凝聚力，代表處建議國內於歐洲地區派駐中央社記者。
2. 旅法僑界對本院促使長榮航空復航臺北—巴黎航線表示感謝，並請本院持續留意前開復航議題及後續交通部與相關單位修法情形。
3. 為確保僑胞權利及義務，與會僑界人士期望我政府

推動不在籍投票。

4. 我駐法國華僑文化中心於民國 95 年關閉，對僑界士氣影響甚鉅，座談會中強烈表達希望政府未來能優先恢復該中心設立。

(四) 本次座談僑界人士與本團代表充分溝通，2 位委員亦針對臺北—巴黎復航及不在籍投票事宜等詳盡說明，並應允將相關意見轉請行政院知悉。

玖、建議與結論：

本院此行應比利時華隆監察辦公室之邀，組團前往比利時華隆地區南瑪市參加會議並慶祝該區監察辦公室成立 15 週年紀念。華隆監察使辦公室雖為規模較小之監察組織，惟此行係本院首次獲邀前往參加比利時王國舉辦之會議，由於歐盟（前身為歐洲共同體）總部設於比利時首都布魯塞爾，近年歐盟整合建構日益成形，且在全球及國際社會中扮演重要影響力；爰本次會議雖為比利時華隆地區之地域型會議，但實為一歐洲區域型會議。與會報名人數達約 140 人，實際出席人數來自 17 個國家約 100 人，儼然為一中大型國際會議。

本次與會目的在拓展本院於國際監察領域之參與空

間，結識更多國際友人，爭取國際友人對我之支持，並藉此闡揚我監察制度與人權保障。茲將本院出席此次會議建議及結論臚列如后：

一、本報告「捌-二-(三)巡察我駐法國臺北代表處」，有關代表處及僑界人士座談意見，相關情形建議函請行政院參考。

二、建議積極參與國際監察會議並培養國際參與人才：

國際會議之參與除得促進監察意見交流外，並可與國際友人建立良好情誼，進而促進我與國際監察制度接軌，洞悉現今國際監察發展方向，瞭解世界監察趨勢，俾使我監察制度不斷進步與更新。而國際會議人才之培養亦極具重要性，目前本院並無此類培訓制度，建議在不增加經費的原則下，可與其他具類似培訓單位之機關合作，如外交部已有完整之國際人才培訓課程，本院得洽詢該部提供資訊及名額供本院國際人才訓練之需。

三、此行增進與比利時地區監察組織之互動：

本院代表團首次參加比利時王國3個行政區中極具重要地位並以法語為主之華隆地區辦理之監察組織

會議，並藉由參加此次會議，順道拜會比利時聯邦監察使。會議期間獲華隆監察使熱誠接待、互動密切，屢屢於會場中表達歡迎遠道而來的臺灣朋友，並與比利時聯邦監察使充分交換意見，達成擴展我參與國際監察活動之空間，並與比利時華隆監察使及同仁建立良好互動基礎。

四、此行拓展我與法語系國家監察使之友誼：

本次與會人員除來自亞洲中華民國 5 位、非洲之馬利 4 位、貝南 1 位、馬達加斯加 2 位、布吉納法索 1 位及加拿大 1 位外，其餘約 86 位均來自歐洲地區，其中參與之歐洲國家又以法語系國家為主。本次主辦單位華隆地區當地語言即為法語，藉由參加本次會議，與法語系國家監察使建立情誼，促進國際社會對我之瞭解與認可，並藉此介紹及闡揚我監察制度概要與職權。

五、監察使與媒體彼此是合作體非競爭對手：

資訊一日千里，監察使所面臨的挑戰無所不在，是以，身為一個監察使應敏銳體察社會環境變遷並適時回應，而監察使本身除了獨立行使職責外，更應善

用科技資訊處理案件。媒體本身即為富「科技性」並兼具「功能性」之工具，並藉此工具以建設性的觀念來促使行政機關改善與陳情人間的互動和溝通。

歐洲國家善用媒體與民眾溝通，並常有專設或固定的節目與時段和媒體及社會民眾互動，因此資訊的透明、提供的方式、議題的規劃等極具重要性。最重要的是要有一套標準作業程序讓每一位新舊人員都很容易上手，讓媒體與監察使創造雙贏的局面，並藉此降低民眾無法獲得資訊或獲得錯誤資訊之情事，更讓正確及透明的資訊廣為傳遞，以增進行政效率，保障人民權利。

六、監察使應協助民眾瞭解複雜的行政體系與程序，並且充分告知法定監察職權之限制：

以歐盟監察使 2008 年的統計資料為例，歐盟監察使處理民眾陳情之行政疏失案件中，最主要因素為資訊不透明及拒絕提供資訊。即使現今網路無遠弗屆、獲取資訊管道多元，惟行政體系愈趨複雜，正確傳遞資訊為避免民眾迷失於複雜體制及行政程序之重要關鍵。因此，各種資訊平台應隨日新月異之科技調

整，並建立完整對外溝通平台；除強化書面及網站外，亦應發展符應現今潮流之溝通管道，如「Facebook」、「Twitter account」、「YouTube」等，並以淺顯易懂的方式廣為宣導。

另外應避免監察機關成為民眾各種抱怨與陳情之「唯一」途徑，以致影響人民陳情案件經層層轉達，方至負責之主管機關處理。宜應透過各種管道，充分並完整讓民眾瞭解監察機關的職責與限制，以避免監察機關因收受過多非權責內之案件致影響其他案件處理。

七、監察角色與知識日益專業與重要：

監察機關處理之陳情案件日趨複雜，角色愈形專業，再加以現今分工精細，知識瞬息萬變，因此監察角色已儼然發展為重要課題。如何使監察制度更趨務實，更近民眾並與其他同具監督功能之行政機關相互合作，以有效制衡政府體制運作，保障人民權利等，已逐漸發展為一門專業知識。

八、我駐歐盟兼比利時臺北代表處及我駐法國臺北代表處在本院與會及拜會期間積極協助，使本院圓滿完

成任務，殊值肯定：

此行赴比國參加會議及拜會比利時聯邦監察使與歐盟監察使期間，代表處行前安排周詳，多次與相關單位聯繫，蒐集各項資訊並與國際友人建立良好互動；會議期間提供專業傳譯，協調各項當地事宜及區域指引等，協助本院與會圓滿達成任務，殊值肯定。

拾、附錄：

- 一、附錄 1—「比利時華隆地區監察組織國際研討會暨 15 週年紀念會」議程
- 二、附錄 2—「比利時華隆地區監察組織國際研討會暨 15 週年紀念會」全體與會人員名單
- 三、附錄 3—我駐歐盟兼比利時代表處回復本院巡察提問之書面答稿。

代表團團長：洪委員昭男

團 員：葛委員永光

汪專員林玲

華隆地區監察組織國際研討會暨 15 週年紀念會會議議程

第一天：11 月 23 日（星期一） 地點：比利時華隆南瑪市議會中心
Namur Congress Centre

09:15 由旅館出發

09:40-10:30 報到

10:30-11:00 開幕式

致詞：

- 華隆地區監察使/Frédéric BOVESSE
- 華隆國會議長/ Mrs Emily HOYOS
- 衛生、社福及機會平等部長(代表華隆地區法國協會理事長出席)/ Eliane TILLIEUX

11:00-12:00 會議簡介

講者：愛爾蘭監察使/ Emily O'REILLY

12:00-14:00 華隆國會午宴

14:00-16:00 第 1、2 場討論會
(擇一參加)

1. 調解及行政如何對外溝通

- 盧森堡監察使/Marc FISCHBACH
- 華隆公共事業秘書長/ Danielle SARLET
- 干特(Ghent)城鎮監察使/Rita PASSEMIERS

2. 媒體-政治人物的敏感用途

- 比利時聯邦監察使/ Catherine DE BRUECKER
- 西班牙加泰隆尼亞地區護民官/ Rafael RIBO
- 德國監察使/ Ulrich GALLE
- 加拿大魁北克監察使/Raymonde SAINT-GERMAIN

16:30 返回飯店

19:00 搭乘巴士由飯店出發至晚宴會場

19:30-23:30 紀念會晚宴

地點：華隆公共事業北棟大樓

第二天：11月24日（星期二）

地點：比利時華隆南瑪市議會中心
Namur Congress Centre

09:15 由旅館出發

09:40-10:00 歡迎茶會

10:00-12:00 第3、4場討論會
（擇一參加）

3. 對媒體而言「調解」不夠煽情

- 義大利監察使/ Flavio CURTO
 - 布幾納法索首席監察使/ Mafarma SANOGO
 - 法文電台協會(CTF)秘書長/ Alain GERLACHE
4. 當媒體主導監察使辦案
- 檢察官，議員及前新聞工作者/Jean-Paul
 - 公共電視(RTBF)律師/Annie Al
 - Magazine Test-achats/ Jean-Philippe DUCART
 - 比利時法國協會監察使/ Marianne DE BOECK

12:00-14:00 南瑪市宮殿午宴

14:00-15:00 第5場討論會
（全體大會）

溝通工具及方法的演進

- Catholic University of Louvain (UCL) 教授/ Marie-Elisabeth VOLCKRICK
- Antwerp 大學教授及前任芬蘭協會監察使/ Bernard HUBEAU
- Carlos III of Madrid 大學教授/ Ricardo CABRALES

15:00-15:15 會議結論

15:15-16:00 閉幕演說

- RTL-TVI 團隊執行長及歐洲商業電視協會理事長/Philippe DELUSINNE

16:00-16:10 演講

南瑪省長/Jacques ETIENNE

16:10-16:20 資訊說明

華隆地區監察使資訊

16:20 閉幕式酒會

第三天：11月25日（星期三）：主辦單位安排之文化參訪



MEDIAtisation

La communication au
cœur de la médiation

COLLOQUE INTERNATIONAL
Namur, 23 et 24 novembre 2009
« **MEDIAtisation** »

La communication au cœur de la médiation

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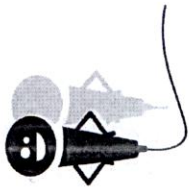
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MEDIATISATION

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Namur, 23 et 24 novembre 2009

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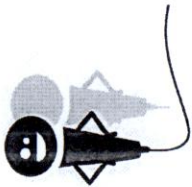
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La communication au
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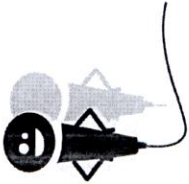
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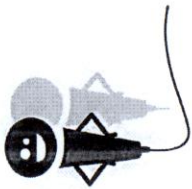
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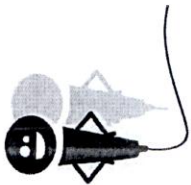
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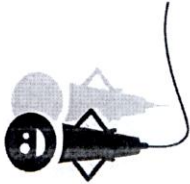
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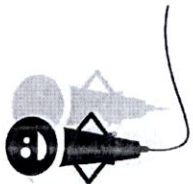
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巡察提問書面答稿

問題一：歐方有無發表聲明肯定我改善兩岸關係？

(一) 歐盟部分：

歐盟自上（2008）年5月我新政府成立以來，迄已發表8次聲明，支持兩岸和解、台灣有意義參與國際組織，相關文字節錄及摘譯如次：

	Statements	
1.	<p>Declaration by the Presidency on behalf of the European Union on Cross-Strait Relations</p> <p style="text-align: right;">2008.5.26</p> <p><u>The EU believes that the establishment of a new administration in Taiwan provides a unique opportunity for the two sides to make further progress in their practical relations and opens the possibility for them to take positive steps towards the resumption of a meaningful dialogue which will be of benefit to the people on both sides of the Strait and would enhance regional peace and stability.</u></p>	<p>歐盟相信（台灣）新政府成立將提供兩岸發展務實關係之機會，並重新啟動有意義對話，使海峽兩岸人民均能獲益，增進區域和平與穩定。</p>
2.	<p>EU Presidency Statement on re-establishment of dialogue between authorized non-governmental organizations engaged in talks on issues related to exchanges across the Taiwan Strait</p> <p style="text-align: right;">2008.6.13</p> <p><u>The EU Presidency warmly welcomes the re-established dialogue between the China mainland's Association for Relations Across the Taiwan Strait and the Taiwan-based Strait Exchange Foundation in Beijing on 12 June.</u> The talks, revived after almost ten years, represent a significant step towards closer relations and the establishment of trust between both sides.</p>	<p>歐盟輪值主席熱切歡迎海基會與海協會於2008/6/12在北京復談。</p>

	<p>The Presidency is also pleased to note the arrangement on direct charter flights and on the exchange of tourist visits at weekends, which will contribute significantly to the strengthening of friendly ties between the people of mainland China and Taiwan, and to the development of economic, cultural and social ties.</p> <p>The Presidency hopes that these steps will encourage all concerned to pursue a vision for long-term peaceful political and economic development of the region.</p>	
3.	<p>Taiwan: Declaration by the Presidency on behalf of the European Union</p> <p style="text-align: right;">2008.9.19</p> <ol style="list-style-type: none"> 1. The European Union reiterates its policy of One China. It does not support Taiwan membership in international organizations which require statehood. 2. <u>The European Union welcomes the efforts undertaken by both sides in improving cross straits relations</u>, especially agreements on air transport and tourism. It commends the willingness of both sides to continue and widen in the coming months these discussions, which contribute to reinforce stability and security in East Asia. 	<p>歐盟歡迎兩岸為改進台、中雙邊關係所做之努力。</p>
4.	<p>Javier SOLANA, EU High Representative for the CFSP, on cross-straits relations</p> <p style="text-align: right;">2008.11.4</p> <p><u>I welcome the agreement signed today between the authorities of China and Taiwan to improve direct transport and trade links across the Taiwan Straits.</u> The European Union has always taken the firm view that the Taiwan question must be resolved peacefully through constructive dialogue between all concerned parties. Today's agreement represents a significant positive step towards finding pragmatic solutions that benefit people on both sides of the Straits. I therefore commend the determination of both sides to take up these opportunities that contribute to reinforcing stability and security in East Asia. <u>The European Union will continue to adhere to its One China Policy and will provide firm support to future initiatives that advance meaningful dialogue</u></p>	<p>歐盟共同外交暨安全政策高級代表表示，歡迎兩岸簽署直航及貿易相關協議... 歐盟將持續支持各項有助兩岸進行有意義對話之各項倡議。</p>

	<u>across the Straits.</u>	
5.	<p>Taiwan: Declaration by the Presidency on behalf of the European Union</p> <p style="text-align: right;">2008.11.12</p> <p>A. <u>The European Union welcomes the continued efforts by both sides to improve relations across the Taiwan Strait, which contribute significantly to stability and security in East Asia.</u></p> <p>B. The EU commends in this respect the holding of the second round of unofficial negotiations between the two sides, on the occasion of the visit to Taiwan of the Chairman of ARATS, Mr CHEN Yunlin, and his talks with the Chairman of SEF, Mr CHIANG Pin-kung. It welcomes the success of these talks, which enabled a number of specific agreements to be signed in the areas of transport, postal links and food security, further high-level contacts to be established and a timetable for future discussions to be fixed.</p> <p>C. <u>The European Union welcomes in particular the fact that these talks contribute to developing the mutual confidence and understanding between the two sides which are essential for better cooperation in the Taiwan Strait.</u></p> <p>D. The EU hopes that this process of dialogue will continue over the coming months and years, in accordance with the timetable set by the two sides.</p>	<p>歐盟歡迎兩岸為改進台、中雙邊關係所持續之努力，此將對東亞穩定與安全有極大之貢獻。</p> <p>歐盟尤其歡迎雙邊會談有助增加兩岸互信及瞭解，對兩岸合作極有助益。</p>
6.	<p>Declaration by the Presidency on behalf of the EU following the launch of the first direct air and sea links between the two shores of the Taiwan Strait</p> <p style="text-align: right;">2008.12.23</p> <p><u>The European Union welcomes the launch on 15 December of the first direct air and sea links between the two shores of the Taiwan Strait.</u> These links give concrete expression to the agreements reached at the unofficial discussions round between the two shores in November 2008.</p>	<p>歐盟歡迎兩岸在 2008/12/15 啟動海空直航。</p>

	<p>These talks help to build confidence and mutual understanding necessary to strengthening cooperation and stability in the Taiwan Strait and Pacific Asia.</p> <p>The EU hopes that this process will continue.</p>	
7.	<p style="text-align: right;">2009/5/8</p> <p>The EU welcomes and fully supports Taiwan's participation in the 62nd session of the World Health Assembly as an observer. The EU believes that this, combined with Taiwan's participation in the International Health Regulations, will enable Taiwan to meaningfully participate in, and contribute to, the proper functioning of the WHO's worldwide health system. This decision will also allow Taiwan to contribute to the global effort against potential pandemic diseases such as AH1N1 influenza.</p> <p>The EU has supported Taiwan's meaningful participation in specialized multilateral for a where Taiwan's participation is important to EU and global interests.</p> <p><u>The EU recognizes and welcomes the concrete steps and confidence building measures that have been undertaken over the last year by the parties on both sides of the Taiwan straits</u>, including the recent agreements signed in Nanjing on the 26th of April. The EU appreciates the efforts of both sides to find pragmatic solutions and peacefully develop relations, which contributes significantly to stability and security in East Asia. <u>The EU strongly supports this process of cross-straits rapprochement.</u>The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, Armenia, and Georgia align themselves with this declaration.</p>	<p>歐盟承認並歡迎兩岸上年為建立互信所採取之具體步驟及各項措施。</p> <p>歐盟強烈支持兩岸和解過程。</p>

	* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.	
8.	<p>Oral Statement of Meglena Kuneva, Commissioner for Consumer Affairs, in the European Parliament debate on Situation in Taiwan following the recent typhoon Morakot</p> <p style="text-align: right;">2009/9/17</p> <p>Mr President, I will take the questions in order.</p> <p>First of all, on the assistance which the Commission is providing to Taiwan to meet the ongoing needs of its people, which was the main point of the question by Mr Mann: Taiwan has been informed of the Commission's post-disaster needs-assessment mechanism, but we have not received any requests so far. If such a request comes, we will take it into consideration.</p> <p>Then, on the Commission position regarding the current state of cross-Strait relations, which was the question from Mr Boştinaru, <u>the Commission welcomes the rapprochement between Taiwan and China during the last year. This has made it possible to improve cross-Strait relations, reducing tensions between the two, and to promote bilateral issues such as direct air and sea links.</u></p> <p><u>We strongly support the bilateral discussions between the two parties that may allow further progress.</u> We also welcome the Chinese assistance.</p>	<p>歐盟負責消費業務執委 Kuneva 在歐洲議會質詢時表示：執委會歡迎台、中之間上年之和解，此將改善兩岸關係、減低衝突並改善諸如海空直航等雙邊議題。</p> <p>歐盟強烈支持兩黨間之雙邊會談及其後之進展。</p>

(二) 歐洲議會部分：

1. 2009年2月5日歐洲議會全會通過決議案歡迎台灣與中國大陸改善關係，支持我參與包括 ILO 等相關國際組織。(詳附件一)
2. 2009年2月18日歐洲議會全會通過決議案歡迎台海地區緊張情勢大為緩和，及歡迎北京與台北就雙邊互動及台灣有意義

參與國際組織續行對話，支持我以觀察員身分參與 WHA 等聯合國專門機構。(詳附件二)

3.2009 年 5 月 20 日 208 名歐洲議員聯名致函祝賀馬總統就職一週年及支持我免簽證、參與聯合國專門機構及肯定我新政府之兩岸政策。(詳附件三)

問題二：歐洲「人民黨團」對我死刑存廢之立場

查歐洲議會友台小組前任主席 Georg Jarzembowski (德國籍、人民黨團議員) 曾於 2007 年率團訪台時關切我尚未廢除死刑事，惟該黨團未曾於歐洲議會內對此表示關切。

問題三：敦促歐方成立類似「全美中國研究協會」(American Association for Chinese Studies, AACCS)之智庫

歐洲「台灣研究」，雖不見如美國「中國研究學會」有類似專研台灣議題之研究學會，惟歐洲學界有關台灣議題之研究已興起多年，僅係尚未達相當氣候。爰我允宜加強與專研台灣議題學者之雙向交流，如此，除培養友我學術界及意見領袖人脈外，亦可協助台灣議題研究自立門戶並影響中國研究。至歐洲有關台灣議題研究，謹就區域分述如下：

(一) 西歐：比較歐洲各地區，「台灣研究」在西歐地區最為興盛，其中英國可排首位，德國次之。英國多所大學，包括牛津、劍橋、里茲、愛丁堡、倫敦政經學院等十餘所知名學府均設有當代漢學研究，惟多以研究中國為主，台灣研究為輔。倫敦大學亞非學院(SOAS)為英國亦為歐洲目前唯一設有台灣研究學程之大學，授予碩士學位。德國部分，Tubingen 大學自 2008

年起成立「歐洲台灣當代研究中心」，Bochum 大學、海德堡大學、柏林自由大學亦有部分學者研究台灣議題，惟均在東亞或漢學研究之範疇內進行。法國則自 2006 年後愈多學者研究台灣議題。英、德、法等國之外，比利時、荷蘭亦有部分學者關注台灣議題。

(二) 東歐部分：東歐地區，大體而言，現處於快速「萌芽」階段。捷克拜蔣經國基金會歐洲辦事處址設該國之賜，已成為台灣研究之東歐重鎮，該處業務涵蓋範圍廣及保加利亞、克羅埃西亞、匈牙利、立陶宛、波蘭、羅馬尼亞、塞爾維亞-蒙地內哥羅、斯洛伐克、斯洛維尼亞及俄國等。該基金會於捷克 Charles 大學開設台灣講座，邀集東歐各國大學生至該校進行短期修習，另獎助博士論文及博士後研究計畫及補助籌辦學術研討會等。斯洛維亞尼 Ljubljana 大學 Saša ISTENIČ 女士自我中山大學修得博士學位後返國，刻在該校推廣台灣研究，態度甚為積極，並計畫在該校籌設台灣研究中心，惟因人力單薄亦無財源，亟需協助。立陶宛、匈牙利之台灣研究未見發展。拉脫維亞、塞爾維亞、俄國等國之學術機構，在各該國中共大使館資助條件之壓力下似無意開展台灣研究。

(三) 中歐：中歐地區，僅見奧地利維也納大學擬成立台灣研究中心，惟在人力方面面臨挑戰。

(四) 北歐：斯堪地納維亞地區（瑞典、挪威、芬蘭）目前僅有瑞典從事台灣研究，斯德哥爾摩亞洲研究學院原在教授 Thomas HART 鼓吹下成立稍具規模之台灣研究中心，惟因內部管理不善及 H 教授年屆退休而逐漸萎縮，後 Lund 大學東亞及

東南亞研究中心成立，取代斯德哥爾摩亞洲研究學院之地位。

(五) 南歐：南歐各國（葡萄牙、西班牙、義大利、希臘）中，目前僅有西班牙馬德里自治大學設有一門台灣議題課程，負責該課程教授過去曾在倫敦大學亞非學院修習學位，學成返回西班牙後即推廣台灣研究。該地區除西班牙外尚未見其他國家學者進行台灣研究。

問題四：我與「國際無疆界人權組織」合作詳情

查本處與「國際無疆界人權組織」(Human Rights Without Frontiers Int'l)合作案，係我採取「借力使力」方式對歐盟推動國際文宣，外交部每年補助專案經費 5,000 歐元（約折合新台幣 24 萬元），雙方自本年 1 月合作迄今成效良好，已有 65 件報導績效，謹分三類陳述如次：

(一) 98 年 1 至 12 月助我文宣報導：行政院新聞局專文、我各部會首長對外文宣專文、代表處重要活動新聞稿、本處擇選之中央社新聞稿及該組織採訪我方活動專稿（已有績效 50 件，詳附件四）；

(二) 刊載行政院新聞局九大傳播主題摺頁〔98 年 7 月至 12 月期間專案執行〕（已有績效 6 件，全案以 9 件為最高目標，詳附件四）；

(三) 行政院新聞局「國內正面議題」國際文宣專案新聞稿〔98 年 9 月 17 日起開始啟動之專案，已執行 10 週〕（已有績效 9 件，詳附件四）。

本處與「國際無疆界人權組織」本年合作協議書（含中譯文）如附件五，併請參考。



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Texts adopted

Thursday, 5 February 2009 - Strasbourg

Provisional edition

Trade and economic relations with China

P6_TA-PROV(2009)0053

A6-0021/2009

► European Parliament resolution of 5 February 2009 on Trade and economic relations with China (2008/2171(INI))

The European Parliament,

- having regard to the EU-China High Level Economic and Trade Dialogue Mechanism (HLM) that met for the first time in Beijing on 25 April 2008,
- having regard to the conclusions of the Tenth China-EU Summit held in Beijing on 28 November 2007,
- having regard to the Communication from the Commission entitled "EU – China: Closer partners, growing responsibilities" (COM (2006)0631) and its accompanying working document entitled "A policy paper on EU-China trade and investment: Competition and Partnership" (COM(2006)0632),
- having regard to the decision taken by the Fourth Ministerial Conference of the World Trade Organisation (WTO) held in Doha, Qatar on 9-14 November 2001 on the admission of China to the WTO with effect from 11 November 2001 and Chinese Taipei with effect from 1 January 2002,
- having regard to its resolutions on China, in particular its resolution of 7 September 2006 on EU-China relations ⁽¹⁾ and of 13 October 2005 on prospects for trade relations between the EU and China ⁽²⁾,
- having regard to the study of the Commission of 15 February 2007 entitled "Future Opportunities and challenges in EU-China Trade and Investment Relations 2006-2010",
- having regard to its resolution of 10 July 2008 on the situation in China after the earthquake and before the Olympic Games ⁽³⁾,
- having regard to the Eighth Annual Report "European Business in China Position Paper 2008/2009" of the European Union Chamber of Commerce in China,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on International Trade and the opinions of the Committee on Foreign Affairs, the Committee on Development, the Committee on Economic and Monetary Affairs, the Committee on Industry, Research and Energy and the Committee on Internal Market and Consumer Protection (A6-0021/2009),

A. Whereas EU-China trade has increased enormously since the year 2000 and whereas the European Union has been China's biggest trading partner since 2006 and China has been second largest trading partner of the European Union since 2007,

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B. Whereas increased development and WTO membership entail, besides substantial benefits, a greater responsibility for China to play a full and positive role in the global economic order, including in the International Monetary Fund (IMF) and the World Bank Group,

C. Whereas, despite continued growth, bilateral trade between China and the EU, which has a trade deficit with China of over EUR 160 billion in 2007, remains imbalanced,

D. Whereas financial and macro-economic imbalances and the drop in internal demand and exports are at the root of the current global financial and economic crisis which also affects China,

E. Whereas access to the Chinese market is complicated due to state-led industrial policies, patent infringements and an ambiguous standards and compliance regime, resulting in technical and non tariff barriers (NTBs) to trade for EU companies,

F. Whereas EU producers of goods and services are highly competitive on world markets, and whereas free and fair access to the Chinese market would allow EU companies to increase their exports and presence in such a market, and also increase quality and services for Chinese consumers,

G. Whereas EU exports to China increased in 2007 by 18.7 percent with a value of EUR 231 billion,

H. Whereas the scale of production of counterfeit and pirated goods inside China remains at an alarmingly high level and 60% of the counterfeit goods seized by the customs authorities of the European Union are produced in China; whereas production of these goods frequently takes place in facilities also producing goods for the regular market and in disregard of both labour rights and health and safety requirements, and pose a danger to consumers and, in the case of chemicals, to the wider environment,

General

1. Stresses that EU - China trade has expanded enormously and is the single most important challenge to EU trade relations;

2. Stresses that Europe's trade relations with China should be based on the principles of reciprocity and fair competition and trade, according to our common values and adherence to WTO rules, while taking into account sustainable development, respect for environmental limits and contribution to global goals in the prevention of climate change;

3. Takes the view that China, as one of the engines of world growth, should play its full part in ensuring that the global economic order develops in a sustainable and balanced way;

4. Calls on the Commission to continue the policy of engagement and dialogue with China; welcomes the trade-related technical assistance provided to China by the Commission; considers such assistance vital to support China's successful integration into the world economy and, in particular, in implementing its obligations and commitments in the WTO and improving social and environment conditions;

5. Stresses that unprecedented cooperation is needed between the European Union and China in order to resolve the current financial and economic crisis; considers that it is a great opportunity for China and the European Union together to show a sense of responsibility and to play their part in helping to resolve this crisis;

6. Takes the view that the development of trade relations with China must go hand in hand with the development of a genuine, fruitful and effective political dialogue, which covers a wide variety of topics; considers that human rights should be an essential and integral part of the relationship between the European Union and China; calls on the Commission to insist on the strengthening of the Human Rights Clause in negotiations with China about a renewed Partnership and Cooperation Agreement (PCA);

7. Believes that today's open trading system could stimulate economic activity between China and developing countries to the possible benefit of both sides and could be an unprecedented opportunity for economic growth and for their integration into the world economy, on the condition that trade policies are consistent with development objectives and that economic growth translates into poverty reduction;

8. Encourages the Commission to pursue openness in EU trade with China; believes that the European Union and the Member States should continue to offer open and fair access to China's exports and anticipate the competitive challenge posed by China; considers that China should reciprocate by strengthening its commitment to economic openness and market reform;

9. Urges China to play an active role in the WTO, commensurate with its economic and trading importance in order to foster the sound development of global trade within a strong and transparent framework of rules;

10. Welcomes the participation of China at the G-20 Meeting held in Washington on 15 November 2008, which should pave the way for its definitive involvement in economic and financial world affairs with a subsequent taking up of major responsibilities at a global level;

11. Underlines that protectionism cannot be Europe's response to the growth in EU-China trade relations; believes that the European Union and the Member States should strive more urgently to make further progress on the Lisbon reform agenda in order to develop and consolidate areas of comparative advantage in the global economy and to foster innovation and vocational training;

12. Notes that a major Chinese recovery plan for growth and jobs has been presented to deal with the current economic crisis; emphasises that the support measures have to be temporary, should meet WTO rules and should not distort fair competition;

13. Welcomes investments of China's sovereign wealth fund and state owned enterprises in the European Union, contributing to the creation of jobs and growth and to the mutual benefit and balance of investment flows; recalls however the intransparency of China's financial markets and stresses the importance of introducing at least a code of conduct to ensure the transparency of China's investment operations into the EU market; calls on the European Union and China to keep their respective markets equally open to investment but to introduce transparency provisions;

Market Access

14. Welcomes the fact that since joining the WTO, a growing number of industrial sectors in China have been opened to foreign investors; however, is concerned that at the same time some sectors are restricted or prevented from accessing foreign investment and discriminatory measures against foreign firms were introduced -especially on cross-border mergers and acquisitions;

15. Considers that in China protectionist practices, excessive bureaucracy, the undervaluing of the Renminbi, subsidies in various forms, and the lack of a proper and agreed level of enforcement of intellectual property rights (IPRs) hinder full market access for many EU companies;

16. Calls on China to further open its markets for goods and services and to continue with economic reforms in order to establish a stable, predictable and transparent legal framework for EU companies, especially for small and medium sized enterprises (SMEs);

17. Calls on the Commission to discuss the draft Chinese Postal Law with the Chinese Government for as long as this draft contains a provision that would hamper foreign express services; believes that a balanced regulatory framework for postal and express services is required in order to continue China's policy of supporting foreign investment and fair competition in the express delivery sector;

18. Acknowledges the steps taken by the Chinese authorities to reduce administrative burdens at national level and the progress in E-Government to make legislative acts available to the public, but notes that further progress is needed in order to secure free and equal access to the Chinese market for foreign companies;

19. Emphasises that further opening in terms of Chinese market access will provide opportunities for EU companies in numerous areas such as, machinery manufacture, chemicals, the automotive sector, pharmaceuticals and Information and Communication Technologies, Clean Development Mechanism projects, agriculture, construction and in financial, insurance, telecommunications and retail services;

Barriers, standards

20. Notes that NTBs represent a major obstacle for EU companies in China and for Chinese and non-EU companies in the European Union, particularly for SMEs;

21. Calls on China to adopt international standards for products and services with a view to promoting further trade between China and other countries; welcomes the fact that China is increasing its participation in international standard-setting bodies and believes that this should be encouraged and reciprocated by EU participation in China's own standard-setting bodies; stresses the importance of Chinese imports complying with European standards for food and non-food products;

Raw materials

22. Deplores the persistent use of trade-distorting export restrictions such as export taxes on raw materials by the Chinese Government; calls on the Commission to insist on the removal of all existing export restrictions in all bilateral negotiations with China; stresses that the removal of these export restrictions constitutes an essential element of fair trade between the European Union and China; underlines that it will evaluate all future trade agreements with China in this respect;

State aid

23. Is concerned that continued state intervention in industrial policy and explicit discriminatory restrictions, such as unlimited state funds for export financing and limitations on the level of foreign ownership in certain sectors, distort the Chinese market for EU companies;

Public procurement

24. Calls on China to join the Agreement on Government Procurement (GPA) as committed in 2001 and to engage constructively in negotiations on opening its public procurement markets and, pending the successful outcome of such negotiations, to apply transparent, predictable and fair procedures when awarding public contracts so that foreign companies can participate on an equal basis; calls on China to provide immediate access to EU companies established and operating in China;

Currency

25. Welcomes a certain rise in the value of the Renminbi that has taken place in 2008; urges China to continue to let the Renminbi rise in value, so that its worth on international financial markets, in particular in relation to the Euro, more closely reflects China's economic position; urges the Chinese to hold more of their foreign exchange reserves in Euros;

EU presence/assistance

26. Welcomes the progress made in establishing an EU Centre in Beijing, which will help SMEs, and in making permanent the budget line to fund the Centre, in order to secure its future; stresses the need to ensure that this Centre has a clear mandate, which avoids the creation of double structures and leads to synergies with existing public and private institutions from the Member States; welcomes the work done by the IPR SME Helpdesk to provide information and training to EU SMEs on protecting and enforcing IPRs in China;

27. Stresses the importance of assisting in particular SMEs to overcome market access barriers; calls on the Commission and the Member States to ensure the successful functioning of EU Market Access Teams in China;

Energy, sustainable energy

28. Calls on the European Union and China to take steps to promote trade in environmentally friendly goods and services, the growth of investment in sustainable projects and infrastructure and to encourage the development of industry that contributes to a reduction in carbon emissions;

29. Stresses the opportunities of China's emerging renewable energy sector for the European renewable energy business sector; calls on China to improve market access in this field;

30. Calls for enhanced cooperation between the European Union and China to promote the transfer of low-carbon technology, in particular energy efficiency and renewables; stresses the critical importance of developing and deploying carbon capture and storage in China, given the importance of coal to its economy; calls on the Commission to examine ways of supporting further the exchange of best practice with China on the issue of sustainable development;

Financial services

31. Expresses its concern that investment in China is still restricted for EU companies, especially in the banking and insurance sector, due to heavy and discriminatory licensing costs and rules requiring joint ventures with Chinese firms; calls on China to address urgently these issues;

32. Believes that deep, liquid, open, transparent and well-regulated financial markets are capable of fostering economic growth, considers that Chinese securities, banking and insurance sectors are underdeveloped, and encourages China to participate fully in the global debate on improving the regulatory and supervisory framework for the financial markets;

33. Stresses the importance of Chinese involvement and cooperation with the IMF regarding the development of a global code of conduct for sovereign wealth funds, which is likely to lead to a higher degree of transparency.

34. Calls on the Commission to evaluate, as early as possible, the impact of the financial and economic crisis on relevant European industry and service sectors, which play a crucial role in defining the export-import relationship between the European Union and China; requests that this evaluation be sent to Parliament as soon as a clear trend is recognisable;

Free and Fair trade
Anti dumping/market economy status

35. Considers that a permanent dialogue between trade authorities can be helpful to prevent and resolve trade disputes; notes, nevertheless that an effective and efficient use of trade defence instruments contributes to ensuring fair conditions of trade between China and the European Union given the rising number of anti-dumping cases filed against Chinese producers;

36. Takes the view that in many areas China's economy still does not fulfil the criteria by which it could be considered a market economy; calls on the Commission to work with the Chinese Government to overcome barriers to market economy status and to grant this status to China only when it has fulfilled the criteria;

IPRs and counterfeiting

37. Notes with concern that, although China has made progress in the streamlining of its intellectual property legislation, the effective enforcement of IPRs remains highly problematic;

38. Calls on China to increase its efforts to address the lack of implementation and the enforcement of IPRs; stresses the importance of the harmonisation of central and regional trade policy and regulation in China and its unified implementation throughout the country;

39. Is concerned about the scale of production of counterfeit and pirated goods inside China, which remains at an alarmingly high level; calls on the Commission, in cooperation with the Chinese authorities at national and regional level, to continue its fight against counterfeiting;

40. Expresses great concern about the increasing number of utility model and design patents in China that are often copies or minor modifications of existing European technology and do not contribute to real innovation;

41. Believes that, as China becomes more innovative, it is in its best interests to protect IPRs; believes, however, that regulations requiring the exclusive registration of innovations in China would heavily constrain business activities, prevent China benefiting from innovation and devalue the "Made in China" brand;

Customs

42. Welcomes the signing of a joint IPR Customs Enforcement Action Plan, aimed at enhancing custom cooperation on seizures of counterfeit goods and implementing concrete measures to reduce counterfeit sales; calls on the Commission to negotiate with China on its conditions in order to take part in the Anti-Counterfeiting Trade Agreement (ACTA);

43. Asks the Commission to intensify cooperation in the Customs Cooperation Agreement with the Chinese authorities aimed at trade facilitation;

44. Asks the Commission, as a follow-up to the 2005 Memorandum of Understanding on textiles, to continue to discuss developments in the EU -China textile trade dialogue and in the High Level Economic and Trade Dialogue Mechanism (HLM); calls on the Commission to follow closely the textiles imports originating in China;

Social and environmental impact

45. Expresses its serious concern about the high levels of pollution caused by China's industry and its growing consumption of natural resources, in particular those obtained from unsustainable sources; is aware of the shared European responsibility for the situation, given that a high share of Chinese industrial production is owned by European firms or ordered by European firms and retailers for consumption in Europe;

46. Notes that the recent years of high economic growth in China have not benefited all segments of the Chinese population and that the social gap between the rich and the poor has never been as significant as now;

47. Welcomes China's activities in the environmental sector in the context of the preparation of the 2008 Olympic Games; calls upon the Chinese Government to contribute actively to the success of the United Nations Climate Conference (COP 15) to be held from 30 November to 11 December 2009 in Copenhagen by encouraging its financial sector to prepare itself for the introduction of an international emissions trading scheme;
48. Urges China to participate in COP 15 and accept its responsibilities by taking up its global share for reducing greenhouse gas emissions and fighting climate change;
49. Urges the Chinese authorities to take concrete steps to adopt and encourage the use of technologies and practices to reduce greenhouse gas emissions; notes that promoting green business technologies will be essential if the Chinese Government wants to maintain economic growth while protecting its environment; recognises that China cannot be expected to ask its population to carry the burden of limiting greenhouse gas emissions without action by the West;
50. Is concerned about child labour in China; asks the Commission to address this issue as soon as possible and asks the Chinese Government to maximise their efforts to remove the underlying causes in order to end this phenomenon;
51. Urges China to ratify key International Labour Organisation (ILO) Conventions, in particular Convention No 87 on Freedom of Association and Protection of the Right to Organise, as well as the International Covenant on Civil and Political Rights which China has signed but not yet ratified;
52. Welcomes China's transposition of International Financial Reporting Standards (IFRS) into domestic law; encourages China to continue adopting IFRS while ensuring its implementation in practice; request the Commission to monitor closely the adoption and implementation of IFRS in China;
53. Calls on European businesses operating in China to apply the highest international standards and best practices in corporate social responsibility with regard to workers and the environment;
54. Expresses its concern about working conditions and employees' rights in China; calls on China to improve working conditions in order to bring them up to the level of the core ILO standards;
55. Calls on the European Union and China to cooperate on standards on cars, trucks, heavy vehicles, aviation and shipping, in order to lower greenhouse gas emissions and make the standards more climate-friendly;
56. Calls for cooperation on the regulation, evaluation and authorisation of chemicals (REACH) between the European Union and China;
57. Is alarmed by the recent spate of incidents involving unsafe Chinese products and in particular by those involving children's toys, food and medicines; welcomes the Chinese Government's determination to tackle this problem; calls on the Commission to reinforce support and coordination with the Chinese authorities in this field;
58. Strongly condemns the death sentences imposed by the Chinese authorities on some of those involved in the contamination of powdered infant formula with melamine;
59. Welcomes the efforts the Commission has made in this area, thanks to the new system of quarterly reporting on Chinese enforcement actions to track down at source dangerous goods notified within the Rapex-China system, thus increasing European consumer safety;
60. Underlines the importance of the trilateral contacts between the Commission and the US and Chinese administrations aimed at improving the global governance of product safety; in this area; considers that it would be extremely useful for concrete shape to be given as soon as possible to the Commission's proposal to establish a joint working party on product and import safety within the Transatlantic Economic Council;

Future Steps

61. Notes that Chinese society has changed greatly during the last 30 years and that lasting progress can take place only slowly; believes that democracy requires an effective civil society, which is in turn strengthened by trade and economic relations with the European Union; therefore believes that "change through trade" is a way to aid China's transformation towards being an open and democratic society benefiting all sections of society; while regretting that the intensification of economic and trade relations between the European Union and China has not gone hand in hand with substantial progress with regard to the human rights dialogue; believes that further reforms, especially in the environmental and social areas, are needed in order to ensure overall and lasting progress;

62. Regrets China's postponement of the EU-China summit which was to be held on 1 December in Lyon given the current financial and economic crisis and stresses the utmost importance of a constructive dialogue on climate change as well as mutual understanding on the main trade issues at such a critical moment for the world economy; hopes that such a summit will take place as soon as possible;

63. Calls upon China to continue to fully contribute to efforts to speed up the negotiations under the Doha Development Agenda;

64. Stresses that the new EU-China PCA should aim to establish free and fair trade based on the enforcement of clauses on human rights, environmental, sustainable development and social issues;

65. Welcomes the establishment of the HLM as a forum for further developing EU-China relations at a strategic level and considers that an important element of this process is that the HLM results in the satisfactory resolution of trade irritants; calls on the Commission to put more ambition into the HLM by appointing one of its Vice -Presidents of the newly established Commission in 2009 as the coordinating Commissioner, leading the HLM- delegation;

66. Calls on the Commission to ensure that all existing research and development (R & D) agreements work effectively with China to promote cooperation on R & D; recommends concentrating R & D efforts between the European Union and China more strategically and in a more relevant way in terms of technology breakthroughs, needs of society, environmental disasters and future economic developments; asks both parties to facilitate the transfer of technology and technical know-how by facilitating researchers' and academics' exchange programmes;

67. Welcomes the rapprochement between China and Taiwan; considers Taiwan, which is the EU's 4th largest trade partner in Asia, as an economic and commercial entity; supports Taiwan's participation as an observer in relevant international organisations where this does not require statehood, for instance in the ILO;

68. Calls for increased cooperation between European and Chinese universities and increased mobility for scientists, researchers and students between the EU and China;

69. Supports the continued development of EU-China cooperation on space science, applications and technology; considers that close collaboration is essential for the coexistence of the Compass and Galileo programmes, in particular to ensure their compatibility in the interest of global users;

70. Urges the Commission and the Chinese Government to explore together means of developing a parliamentary dimension to the work of the HLM, mandated to reach out to the broader stakeholder community and to give a voice to their concerns;

71. Supports the efforts made by the Commission to establish an SME friendly business environment through the adoption of the Communication entitled "Think Small First - A on the Small Business Act for Europe" (COM(2008) 394), and in this regard welcomes the intention to launch a "Gateway to China" scheme, with particular focus on establishing an Executive Training Programme in China to promote European SMEs' access to the Chinese market by 2010;

72. Calls on China to promote cooperation between Chinese universities and EU SMEs to enhance SME innovation in China, thus creating more jobs and increasing trade and economic output; calls also on China to promote cooperation between the two sides to improve and enhance climate-friendly techniques and to minimise greenhouse gas emissions caused by EU SMEs in China;

73. Calls on the Commission to promote business-to-business cooperation, to raise awareness of the Market Access Database website and to improve dispute settlement mechanisms;

74. Encourages programmes designed to increase China-EU trade participation, such as the Executive Training Programme; calls on the Commission to increase technical assistance to China in order to implement health and safety rules and to improve customs cooperation;

75. Believes that the European Union and China are becoming more interdependent and that the complexities and importance of EU-China relations require greater coordination among the Member States and with the Commission; reminds China that it must fulfil its obligations arising from international agreements, is looking forward to an effective and outcome-oriented dialogue with China concerning global challenges; endorses the strategic partnership between the EU and China; urges the Commission to increase transparency in the negotiation of the PCA between the European Union and China;

76. Considers that the EXPO 2010 in Shanghai, China, will be a great opportunity for the EU business sector in terms of its exposure, network and presentation to the Chinese public and the Chinese business sector; urges the

Commission to ensure that the EU business sector will have a stand at EXPO 2010;

77. Calls on the Commission to support the setting up of a China-EU Business Council, similar to the US-EU Business Council;

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78. Instructs its President to forward this resolution to the Council and Commission, and the governments and parliaments of the Member States and to the Government of the People's Republic of China and the Chinese National People's Congress.

(1) OJ C 305 E, 14.12.06, p. 219.

(2) OJ C 233 E, 28.9.2006, p. 103.

(3) Texts adopted, P6_TA(2008)0362.

Last updated: 26 February 2009

Legal notice



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Procedure : 2008/2241(INI)

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Texts tabled : A6-0019/2009	Debates : PV 18/02/2009 - 19 CRE 18/02/2009 - 19	Votes : PV 19/02/2009 - 7.8	Texts adopted : P6_TA(2009)0074
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Texts adopted

Thursday, 19 February 2009 - Brussels

Provisional edition

Annual Report (2007) on the main aspects and basic choices of the CFSP

F6_TA-PROV(2009)0074 A6-0019/2009

► **European Parliament resolution of 19 February 2009 on the annual report from the Council to the European Parliament on the main aspects and basic choices of the Common Foreign and Security Policy (CFSP) in 2007, presented to the European Parliament in application of point G, paragraph 43 of the Interinstitutional Agreement of 17 May 2006 (2008/2241 (INI))**

The European Parliament,

- having regard to Article 21 of the EU Treaty,
- having regard to the annual report (2007) from the Council to the European Parliament on the main aspects and basic choices of the Common Foreign and Security Policy (CFSP), presented to the European Parliament in application of point G, paragraph 43 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management⁽¹⁾,
- having regard to the European Security Strategy (ESS) adopted by the European Council of 12 and 13 December 2003,
- having regard to its resolutions of 14 April 2005⁽²⁾, 2 February 2006⁽³⁾, 23 May 2007⁽⁴⁾ and 5 June 2008⁽⁵⁾ on the annual report from the Council to the European Parliament on the main aspects and basic choices of CFSP,
- having regard to Rule 112(1) of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Budgets (A6-0019/2009),

A. whereas a clear definition of the common interests of the EU is essential in order to attain the goals of the EU's external action and in particular those of its CFSP,

B. whereas whenever the EU has spoken with one voice it has enjoyed substantial authority, achieved tangible results and exercised considerable influence on the course of events, an influence commensurate with its economic power,

C. whereas the CFSP, which now relies on a wide range of consolidated operational tools, is entering a new stage, marked by an increased emphasis on strategic thinking and clearly prioritised action,

D. whereas, in order to improve the effectiveness and consistency of its action on a global stage, the EU needs, first and foremost, the foreign policy tools provided for by the Lisbon Treaty; whereas, none the less, all the practical possibilities offered by the current Treaties, coupled with a strong common political will, should be used to strengthen the institutional coherence of the EU's external action,

E. whereas the Council and the Commission have already taken initiatives towards promoting greater synergy and

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consistency between themselves; whereas Parliament should therefore undertake similar efforts to avoid internal fragmentation in the area of external relations,

Principles

1. Reiterates that the CFSP must be underpinned and guided by the values which the EU and its Member States cherish, notably democracy, the rule of law and respect for the dignity of the human person, for human rights and for fundamental freedoms, as well as the promotion of peace and effective multilateralism;
2. Underlines that the EU must use the CFSP to fight for the common interests of its citizens, including their right to live in peace and security in a clean environment and to have diversified access to vital resources such as energy;
3. Strongly believes that the EU can make an impact only if it speaks with one voice, if it is equipped with appropriate instruments, if it further strengthens its cooperation with the UN, and if it is granted the robust democratic legitimacy which results from informed scrutiny by both the European Parliament and national parliaments acting at their respective levels and in accordance with their own mandates; believes in this respect that members of the committees on foreign affairs and defence of national parliaments should be invited by the European Parliament to meet it regularly in order to scrutinise, on the basis of appropriate analytical tools and methodologies, the main developments in the CFSP; takes the view that fresh efforts should be made to raise the awareness of EU citizens with regard to the CFSP;
4. Is also of the opinion that Parliament's structures and organisation should be reviewed in order to pool together and better exploit all expertise in matters relating to CFSP, so as to provide a more effective and coherent contribution to the development of a more strategic and democratic CFSP;

Budgetary aspects

5. Regrets the fact that the CFSP budget is seriously under-funded and recalls that, in order to be credible and respond to the expectations of EU citizens, the CFSP must be allocated resources commensurate with its objectives and specific targets;
6. Welcomes the regular holding of CFSP consultation meetings between Parliament and the Presidency of the Council as provided for by the above-mentioned Interinstitutional Agreement; stresses, nevertheless, that these meetings should be understood as an opportunity to exchange views on the forthcoming needs, on the intended actions in the field of CFSP and on medium and long-term strategies of the EU in third countries;
7. Would welcome more information from the Council on the activities financed by the Council's budget or via the ATHENA mechanism, and particularly on how the appropriations concerned complement the funds for CFSP actions under the EU budget;
8. Requests that the CFSP budget be fully transparent to the budgetary and discharge authority; reiterates its concerns about the practice of carrying over unspent appropriations under the CFSP chapter, and calls on the Commission to inform Parliament in due time about internal transfers, especially since most of the CFSP missions concerned, not least the EU Monitoring Mission (EUMM) in Georgia or the EU Rule of Law Mission (EULEX) in Kosovo, are of a sensitive political nature and address well publicised crises;

The Council's 2007 Annual Report on the CFSP

9. Notes with satisfaction that, for the first time, the Council's report systematically refers to the resolutions adopted by Parliament; regrets, however, that the Council does not engage in a substantive dialogue on the views advanced by Parliament, nor does it refer to those resolutions in operational documents such as joint actions or common positions;
10. Is of the opinion that, rather than content itself with providing an exhaustive catalogue of the activities carried out, the Council's annual report should provide the opportunity to establish a dialogue with Parliament aimed at developing a more strategic approach to the CFSP, based on the identification of the main challenges, and defining priorities and objectives for future action;
11. Therefore urges the Council to reconsider the general rationale and the specific format of the report in order to ensure that it includes an in-depth assessment of the EU's policy towards third countries or regional blocs and the EU's response to humanitarian and security crises, as well as specific proposals for future action;

A new transatlantic agenda

12. Believes that the coming months will provide a unique opportunity for the EU to work out a new transatlantic agenda with the new US administration, covering strategic issues of common concern, such as a new, more inclusive and more effective global governance based on stronger multilateral organisations, the financial crisis, the establishment of a new set of Euro-Atlantic institutions and of a deep and comprehensive transatlantic market, measures to tackle climate change, energy security, the promotion of a durable peace in the Middle East, the situation in Iran, Iraq and Afghanistan, the fight against terrorism and organised crime, nuclear non-proliferation and disarmament, and the Millennium Development Goals;

CFSP horizontal aspects

13. Believes that the CFSP should continue to focus on upholding human rights, on promoting peace and security in Europe's neighbourhood and at global level, on support for effective multilateralism and respect for international law, on the fight against terrorism, on non-proliferation of weapons of mass destruction and disarmament, and on climate change and energy security, since these issues constitute the greatest challenges to our planet and hence directly relate to the concerns of European citizens;

14. In relation to the kidnapping and murder of hostages by Islamic terrorists, underlines the need for enhanced cooperation and coordination of anti-terrorist policy as between EU Member States, the US and NATO, aiming in particular at improving the effectiveness of rescue operations launched with a view to saving hostages' lives;

15. Calls on the Council to pursue with determination the recommendations made by Parliament for the development of a common European external energy policy, in particular by promoting EU cohesion in negotiations with energy suppliers and transit countries and defending EU common interests, by developing effective energy diplomacy and more efficient mechanisms for responding to crisis situations and, finally, by ensuring the diversification of energy supplies, sustainable energy use and the development of renewable energy sources;

16. Welcomes the fact that the current revision of the ESS takes into account new security challenges, such as energy security, climate change and cyber-security, and aims at improving the quality of implementation of the strategy itself; notes in this context the debate initiated by the Council, the European Parliament and Member States' national parliaments on the future of European security; emphasises that, far from pursuing a radically new architecture, those discussions, involving the EU, Russia, the USA and non-EU member states of the Organization for Security and Co-operation in Europe, should build on the achievements and values of the EU, as expressed in Article 11 of the Treaty on European Union and embodied by the Helsinki Final Act and the Charter of Paris;

17. Believes also that the war in Georgia confirms the need for further development, within the framework of the revision of the ESS, of EU preventive diplomacy, matched by adequate crisis-prevention tools, including the Instrument for Stability, contingency planning and reliable long-term funding, and the need to make full use of the EU's capabilities and experience in managing disasters and crises;

Main EU security concerns The Western Balkans

18. Recalls that the consolidation of the post-status Kosovo is essential for the achievement of stability in the Western Balkans; welcomes, therefore, the consensus reached in the UN Security Council on 26 November 2008, which has allowed the deployment of EULEX throughout Kosovo, and urges the Council, in cooperation with the UN Interim Administration Mission in Kosovo (UNMIK), to achieve a clear working relationship and a smooth handover between the two missions in the area of the rule of law; calls on EULEX to deliver quick results in the area of the fight against organised crime and the prosecution of those accused of war crimes; furthermore, expresses its support for the work of the EU Special Representative in Kosovo and encourages him to continue to implement his mandate and to promote a spirit of pragmatic cooperation between the authorities in Priština and those in Belgrade, for the benefit of the Serb communities living in Kosovo;

19. Reasserts that the EU's objective in Bosnia and Herzegovina (BiH) remains to ensure a stable, peaceful and multi-ethnic country irreversibly on track to EU membership; encourages BiH's political leaders to implement the agreement reached on 8 November 2008 in order to rapidly address the remaining objectives and conditions set by the Peace Implementation Council for the transition from the Office of the High Representative to the EU Special Representative's office by mid-2009; expresses its concern at the possible disengagement on the part of the international community from BiH; believes in fact that the end of international involvement can only take place in full agreement with the BiH authorities and once BiH finally becomes a stable state with well-functioning institutions;

Eastern Partnership

20. Reiterates its conviction that incentives for European Neighbourhood Policy partner countries to conduct reforms need to be strengthened, and takes the view that the recent crisis in the South Caucasus has clearly demonstrated the need for a stronger EU presence in its eastern neighbourhood; therefore supports the approach

pursued by the Commission in its communication of 3 December 2008 on an Eastern Partnership (COM(2008) 0823), which aims at establishing a comprehensive and deep free trade area, the progressive removal of all obstacles to the free movement of persons (including, eventually, visa-free travel) and cooperation in all aspects of security, especially energy security; is of the opinion that the Eastern Partnership and the Black Sea Cooperation should reinforce each other, thus creating an area of peace, security, stability and respect for territorial integrity; takes the view that the partnership should be matched by a doubling of EU financial assistance and by a strong political dimension of which EURONEST, the proposed joint parliamentary assembly comprising Members of the European Parliament and of the parliaments of the neighbourhood, should be an integral part;

21. Supports the Council's decision to re-engage with the authorities of Belarus, whilst continuing the dialogue with all democratic forces in the country, provided the Belarusian authorities respond positively to this offer by making tangible progress in terms of respect for democratic values, the rule of law, human rights and fundamental freedoms; is of the opinion that, on this basis, a step-by-step cooperation based on strict conditionality should be developed, thus gradually involving Belarus in the Eastern Partnership; urges the Council and the Commission to take effective steps without any further delay in order to facilitate visa procedures for Belarusian citizens, including the lowering of costs for their entry into the Schengen Area;

Georgia

22. Commends the French Presidency of the Council for ensuring that the EU has played a key role in bringing an end to the war in Georgia; calls on the EU, and in particular on its Special Representative for the crisis in Georgia, to uphold the principle of Georgia's territorial integrity and respect for minorities, whilst endeavouring to reach a settlement which provides for efficient mechanisms for the safe return of internally displaced persons and refugees and for effective monitoring of the region's security;

23. Urges the Council to insist on full implementation of the ceasefire agreement and to ensure that EU monitors are granted full access to all areas affected by the conflict, in compliance with the EUMM's mandate; attaches great importance to being regularly and fully informed about the reports drawn up by the EUMM;

24. Is of the opinion that the EU should closely monitor, and commit itself to contributing to the resolution of, other potential conflicts in this part of the European neighbourhood, including by establishing contacts and opening channels of communications with all relevant regional actors; emphasises in this respect that close cooperation with Turkey should be established;

Russia

25. Believes that the EU's partnership with Russia must be based on a coherent strategy and a clear commitment by both sides to acting in a manner which fully respects international law and their bilateral and multilateral agreements; in line with the Presidency conclusions of the European Council of 1 September and 15-16 October 2008, underlines that Russia must comply with the commitments it entered into under the agreements of 12 August and 8 September 2008; is convinced, therefore, that Russia's agreement to allow international observers to monitor the situation in South Ossetia and Abkhazia and its full compliance with the terms of the 6-point plan are necessary for the normalisation of EU-Russia relations; also takes the view that no strategic partnership is possible if the values of democracy, respect for human rights and the rule of law are not fully shared and respected; calls on the Council to place those values at the core of the ongoing negotiations for a new Partnership and Cooperation Agreement with Russia;

The Middle East

26. Regrets the deterioration of the situation in the Middle East and the heavy toll in civilian lives caused by the armed conflict in the Gaza Strip, compounded by the lack of substantial progress in the peace process; warns of the expiry of the deadline agreed at the 2007 Annapolis Conference and is convinced of the added value that strengthened transatlantic cooperation can bring to the Annapolis process; believes that the EU should assume a strong and visible political role in the region, commensurate with the financial resources it has made available, in particular to address the dramatic humanitarian crisis in the Gaza Strip; calls on the Council to pursue its efforts to achieve a permanent ceasefire in the Gaza Strip, in compliance with UN Security Council Resolution 1860 (2009), so as to allow the start of peace negotiations between Israel and the Palestinian people, in coordination with other regional actors; urges the Council to consider all means to promote a lasting peace in the region, including the deployment of an ESDP (European Security and Defence Policy) mission;

27. Welcomes the Council's intention to renew the mandate of the EU Police Mission in the Palestinian Territories, and believes that more robust support for the development of the rule of law and policing capacity is still required; furthermore, takes note of the decision by the Council to extend the mandate of the EU Border Assistance Mission in Rafah and its determination and readiness to reactivate that mission; believes that this determination should result in concrete initiatives to restore freedom of movement in the Palestinian territories;

The Union for the Mediterranean

28. Is satisfied with the progress achieved at the Euro-Mediterranean Ministerial Summit in Marseilles on 3 and 4 November 2008 in further defining the institutional framework of the Union for the Mediterranean; is of the opinion that human rights, peace, security and development concerns in the Mediterranean region cannot be pursued in isolation; stresses that political and cultural dialogue, economic relations, management of migration flows, environmental policies and security – including the fight against terrorism – must all form a substantive part of the Euro-Mediterranean agenda; calls on the Council and the Commission to include a significant and appropriate role for Turkey in the Union for the Mediterranean; considers it essential for the Euro-Mediterranean Parliamentary Assembly to be integrated into the structure of the Union for the Mediterranean in order to provide its parliamentary dimension;

The broader Middle East

29. Believes that the EU should strengthen its engagement with Iraq and, in cooperation with the Iraqi Government and the UN, should support the process of developing democratic institutions, the rule of law and respect for human rights as well as fostering the reconciliation process not only within Iraq but also as between Iraq and its neighbours; welcomes the extension of the EU Integrated Rule of Law Mission for Iraq (EUJUST LEX) and the progress made in preparing the first ever trade and cooperation agreement between the EU and Iraq;

30. Calls on the EU to develop a more effective and comprehensive relationship with Iran which, besides dealing with the nuclear issue, should also cover trade and energy cooperation, regional stability and, last but not least, good governance and respect for human rights;

31. Considers that the EU should promote a new approach to Afghanistan and should coordinate with the new US administration with a view to opening the door to negotiations between the Afghan Government and those elements that are willing to accept the constitution and relinquish violence; notes that assistance should focus more on the rule of law, good governance, the provision of basic services (with particular attention being paid to health) and economic and rural development, including through the promotion of real alternatives to opium production;

32. Is concerned about the deterioration of the security situation in Afghanistan; reiterates the urgent need to overcome institutional obstacles and improve cooperation between the EU and NATO in order to facilitate the operation of the EU Police Mission in Afghanistan (EUPOL); believes that the EU and the USA should better coordinate their respective initiatives in the area of police reform; welcomes the commitment by the Member States to increasing the number of EUPOL staff and calls for their swift deployment; is convinced that the success of the operation is of great importance for the future of the transatlantic alliance and that, with this in mind, all Member States should make a greater commitment to stability in Afghanistan;

Africa

33. Calls on the Council to widen the agenda with Africa, to cover a broader range of policies than is currently the case, and to make it a priority for EU external action;

34. Believes that EU support for the UN in eastern Chad remains important, as part of a region-wide solution for Darfur; notes that European Union Force Chad (EUFOR Chad) will wind down as planned and hand over its operations to a UN-led mission; calls on the Council to facilitate a smooth transition and to consider, in a coordinated fashion, how the EU can assist the currently overstretched UN Department for Peacekeeping Operations in the deployment of the UN mission;

35. Is gravely concerned by the dire humanitarian situation in Somalia; calls on the EU to consider how it can assist the UN, in close coordination with the African Union, in expeditiously tackling this security, political and humanitarian challenge; draws attention to the growing threats from piracy off the Somali coast and welcomes, in this regard, the decision taken by the EU to launch a maritime ESDP operation;

36. Is concerned by the stepping-up of violence and conflict in the Democratic Republic of the Congo (DRC), which could result in a major humanitarian crisis; calls on all the parties, including government troops, to cease the indiscriminate violence and violations of human rights involving the civilian population, to re-engage in the peace negotiations launched in Goma and Nairobi and to endorse the programme adopted by the DRC National Assembly; believes that the EU's engagement in the DRC must go beyond the technical assistance provided by the EU Security Sector Reform Mission (EUSEC RD Congo) and the EU Police Mission (EUPOL RD Congo) and must result in the provision of tangible support to the UN peacekeeping mission, which has so far proved unable to stop the violence;

Asia

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附錄3

37. Welcomes the significant reduction of tension in the Taiwan Straits area and the ongoing dialogue between Beijing and Taipei concerning bilateral interactions and Taiwan's meaningful participation in international organisations; strongly supports the Council's declaration of 19 September 2008, which reiterates its support for Taiwan's participation in specialised multilateral forums including the grant of observer status where Taiwan's membership is not possible;

38. Takes note of the fact that EU-China economic relations have experienced steady growth and that people-to-people contacts have grown in scope and scale; at the same time, remains gravely concerned by the lack of willingness on the part of the Chinese authorities to tackle numerous human rights violations and to ensure that the people enjoy basic rights and freedoms; in this context, expresses its profound disappointment over the reasons given for the decision of the Chinese authorities to postpone the 11th EU-China summit; notes that a new EU-China summit is planned for the first half of 2009 and hopes that on that occasion progress can be made in all areas of cooperation;

39. Deplores the decision of the Chinese authorities to end the talks with the representatives of the Dalai Lama, and reminds them of undertakings given after the tragic events of March 2008 before the Olympic Games; once again calls on the Council to appoint a special envoy for Tibetan issues in order to follow the situation closely and to facilitate the resumption of dialogue between the parties;

Latin America

40. Recalls the proposal made in its resolution of 15 November 2001 on a global partnership and a common strategy for relations between the European Union and Latin America ⁽⁶⁾, subsequently repeated in its resolutions of 27 April 2006 ⁽⁷⁾ and 24 April 2008 ⁽⁸⁾, adopted with a view to the EU-LAC (Latin America and the Caribbean) summits held in, respectively, Vienna and Lima, to draw up a Euro-Latin American Charter for Peace and Security which, on the basis of the UN Charter, would allow for joint political, strategic and security-related actions and initiatives; calls on the Council and the Commission to take active steps to realise this ambitious goal;

41. Welcomes efforts leading to the conclusion of bi-regional association agreements with Latin America, the first agreements of this kind to be concluded by the EU;

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42. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Secretary-General of the United Nations, the Secretary General of NATO, the Chairman-in-office of the OSCE, the President of the OSCE Parliamentary Assembly, the Chairman of the Committee of Ministers of the Council of Europe and the President of the Parliamentary Assembly of the Council of Europe.

(1) OJ C 139, 14.6.2006, p. 1.

(2) OJ C 33 E, 9.2.2006, p. 573.

(3) OJ C 288 E, 25.11.2006, p. 59.

(4) OJ C 102 E, 24.4.2008, p. 309.

(5) Texts adopted, P6_TA(2008)0254.

(6) OJ C 140 E, 13.6.2002, p. 569.

(7) OJ C 296 E, 6.12.2006, p. 123.

(8) Texts adopted, P6_TA(2008)0177.

EUROPEAN PARLIAMENT



MEMBER OF THE EUROPEAN PARLIAMENT

H.E. Ma Ying-jeou
President
Republic of China (Taiwan)

Brussels, 7 May 2009

Your Excellency,

On the occasion of the first anniversary of your inauguration as President of the Republic of China (Taiwan) on this coming 20 May, we, friends of Taiwan in the European Parliament, have the honour to write in co-signature to you for expressing our sincere congratulations.

Since you inaugurated as President in May 2008, your government has achieved significant success in challenging circumstances. Thanks to your courageous personal leadership, cross-straits relations are now at their most promising for a generation. Your vision for a peaceful resolution of outstanding issues has led to substantial progress and the growing rapprochement is in large part testament to your perseverance and commitment.

We support your efforts to promote cross-straits dialogue and stand firm with you on the principle that violence must not be used to settle outstanding issues. Your determination to avoid changing the status quo by provocation or irresponsible action is admirable and has set the tone for the long overdue normalisation of cross-straits relations.

The European Union and Taiwan share common values. Anyone who is a friend of democracy, human rights and the rule of law is a friend of Taiwan. Your country's commitment to these freedoms sets an example for others to follow.

附件三

附錄3
2009.05.22 (R-23)

EUROPEAN PARLIAMENT



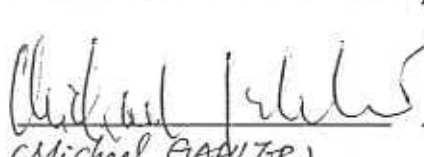
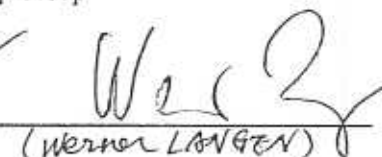
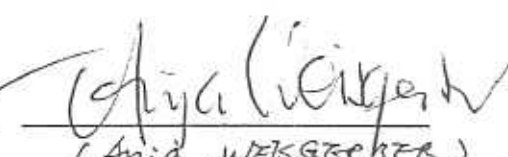


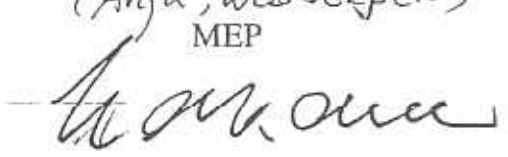
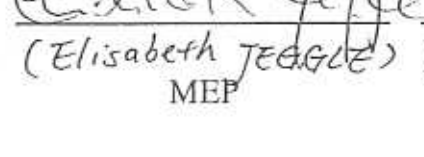
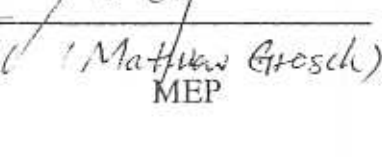
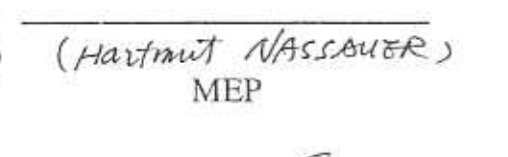
MEMBER OF THE EUROPEAN PARLIAMENT

The past year has witnessed the development of an even stronger relationship between the European Union and Taiwan. The Council of the European Union is now explicitly committed to support Taiwan's meaningful participation in international organisations, including UN Specialized Agencies. Two recent resolutions of the European Parliament have also voiced support for this policy, up to observer status. Furthermore, we are in favour of granting visa-free entry to Taiwanese nationals travelling to the European Union, a measure encouraged by your government's commitment to the reciprocity principle. The European Union is also working closely with Taiwan and other major economies in the world to combat the effects of the global downturn.

We wish you every success as you pursue your democratic mandate, and look forward to working with you to promote stronger relations between Taiwan and the European Union.

Yours sincerely,

Dr. Georg Jarzembowski MEP
Chairman of the EP Taiwan Friendship Group

 (Michael GOALTER) MEP	 (Werner LANGEN) MEP	 (Anja WEISGERBER) MEP
 (Elisabeth JEGGLE) MEP	 (Matthias GROSCH) MEP	 (Hartmut NASSAUER) MEP
 (Lutz GOEPEL) MEP	 (Rainer BÖGE) MEP	 (Ingo FRIEDRICH) MEP

Agreement

Between

Human Rights Without Frontiers Int'l represented by Mr. Willy Fautré, director

and

Taipei Representative Office in the EU and Belgium represented by Mr. Patrick Wang

Project: Promotion of peace between Mainland China and Taiwan

Period covered by the agreement: 1 January – 31 December 2009

Project manager: Willy Fautré, director of HRWF Int'l

Project description:

1. *Electronic Newsletter "Mainland China – Taiwan Issues"*

Informing influential people and organizations (6,000 email addresses)

- journalists and foreign correspondents,
- decision-makers, diplomatic missions in Brussels and in Geneva,
- think tanks in Brussels and in Europe, as well as European foundations
- members of the European Parliament
- EU institutions
- members of national parliaments of EU member states,
- NGOs, etc.

about Taiwan's initiatives to develop peaceful relations between Taipei and Beijing.

The contents of the electronic newsletters will be uploaded on the website of HRWF Int'l (<http://www.hrwf.net>)

2. Participation in international conferences and human rights events as a guest-speaker to expose Taiwan's views on its strategy of promoting peace across the straits
3. Promoting the participation of Taiwan in a wide range of cultural, educational and other events
 - by bringing such events to the attention of Brussels-based Taiwan Office: i.e. the Language Fair at the Belgian Parliament in April (Go and learn Chinese in Taiwan)
 - by putting publicity on our various electronic newsletters about events brought to our attention by Taiwan Office.

附件五

Human Rights Without Frontiers Int'l will realize this project as described above on the basis of a grant of 5,000 EUR.

(Expenses linked to the participation in specific international conferences and human rights events will be covered by separate agreements)

All the contacts between the two parties will occur through Mr. Patrick Wang and Willy Fautré.

The report of activities will be sent to Taipei Office on 15 December.

Human Rights Without Frontiers Int'l
Willy Fautré, director



Taipei Representative Office in the EU and Belgium
Mr. Patrick Wang



Wang Chen-tai: 王振臺

20 March 2009

協 議 書

協議雙方：

「國際無疆界人權組織」(Human Rights Without Frontiers INT'L)

主任 Mr. Willy Fautré

台北駐歐盟兼駐比利時代表處新聞組王組長振臺

計畫：促進中國大陸與台灣之間的和平

協議有效期：2009 年 1 月 1 日至 2009 年 12 月 31 日

合作計畫執行者：「國際無疆界人權組織」負責人 Mr. Willy Fautré

合作計畫內容（謹註：即工作重點）：

一、「中國大陸—台灣議題」電子新聞信

通知具有影響力的人士及組織（6,000 個電子名址），包括：

- 記者及各國駐歐盟新聞特派員
- 布魯塞爾及日內瓦地區決策者、外交使節團
- 布魯塞爾及歐洲地區的智庫，含歐洲地區各類基金會組織
- 歐洲議會議員
- 歐盟機構
- 歐盟會員國 27 國家議會議員
- 非政府組織等

有關台灣發展台北與北京之間和平關係的倡議。

電子信內容將同時上傳至「國際無疆界人權組織」網站

(<http://www.hrwf.net>)

二、協議雙方機構人士以受邀發言人的身分參與國際研討會及人權促進重要活動，宣揚台灣促進海峽之間和平策略的觀點

三、促進台灣在更廣寬的領域如文化、教育及其他重要活動的參與

- HRWF 將相關的活動訊息通知代表處，例如四月間在比利時議會舉辦的語言展覽會（可藉機鼓勵到台灣去學習華文）
- 藉由我們多樣化的電子信傳播服務管道，將代表處提供我們的相關活動訊息及時廣為週知

「國際無疆界人權組織」將在代表處每年 5,000 歐元贊助經費基準下執行上述計畫。

（備註：如參與特定的國際研討會及人權相關活動所衍生的籌辦執行費用將另以其他協議另行商議載明）

本案雙方所有的聯繫將經由王振臺先生及 Mr. Willy Fautré 合作推動進行。

本案 HRWF 年度執行活動報告將於 12 月 15 日送交代表處。

「國際無疆界人權組織」主任 Mr. Willy Fautré

簽名

台北駐歐盟兼駐比利時代表處王振臺先生

簽名

2009 年 3 月 20 日

「國際無疆界人權組織」98 年度全年協助駐比利時新聞處 在布魯塞爾推動國際文宣工作情形一覽表

(謹註：內分三大類工作)

駐歐盟兼駐比利時代表處新聞組

98 年 11 月 20 日整理

一、98 年 1 至 12 月助我宣揚：行政院新聞局專文、我各部會首長 對外文宣專文、代表處重要活動新聞稿、本處擇選之中央社新 聞稿及該組織採訪我方活動專稿：

	日期	內容
1	98/11/15	該組織新聞專員 Mr. Jeremiah Workman 於 11 月 13 日出席駐代表處為我環保署沈署長所辦理之講演座談餐會，隨後並於 11 月 15 日以該組織電子信方式撰發以「台灣：綠色島嶼的願景暨實踐」為題之採訪報導。
2	98/11/11	將我中央社「Taiwan seeks high-profile role at U.N. climate conference」、「Taiwanese carriers to increase flights to Britain」英文新聞稿傳予該組織菁英傳播對象(約計 6,000 人)參考運用。
3	98/10/14	將行政院新聞局蘇局長俊賓專文--：「在關鍵時刻，做對的事」以電子通訊方式傳送予該組織菁英傳播對象(約計 6,000 人)參考。
4	98/10/11	將行政院環保署沈署長世宏專文--：「台灣氣候變遷國際合作方案及願景」以電子通訊方式傳送予該組織菁英傳播對象(約計 6,000 人)參考。
5	98/10/02	將我中央社「Taiwan appreciates European Union's goodwill: official」英文新聞稿傳予該組織菁英傳播對象(約計 6,000 人)參考運用
6	98/9/17	將行政院新聞局「Taiwan Today」英文電子報--「Ma pushed for ECFA signing by year's end」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計 6,000 人)參考

7	98/09/14	將行政院新聞局「Taiwan Today」英文電子報--「Taiwan : Ma and Wu speak on challenges ahead」以電子通訊方式傳送予該組織菁英傳播對象（約計 6,000 人）參考
8	98/09/09	將代表處 2009 年度獎學金計畫案中、英、法、荷新聞稿及行前講習活動照片以該組織電子通訊方式助我發送相關訊息，發送對象包括比國國會議員、各國駐比京重要工作人士及比國法、荷文媒體及記者等約計 6 千人。
9	98/09/03	將聯合國「人道事務協調廳」(OCHA) 8 月 27 日公布之「第二號莫拉克颱風情勢報告」全文以電子通訊方式傳送予該組織菁英傳播對象（約計 6,000 人）參考。
10	98/08/17	將比京英文「議會雜誌」(The Parliament Magazine) 執行編輯 Mr. Martin Banks 所撰，刊登於該刊 7 月 14 日網路版，以「歐盟被促請維持對中國的武器禁運」為題之報導全文，以電子通訊方式傳送予該組織菁英傳播對象（約計 6,000 人）參考。
11	98/08/11	將我中央社「Mechanism in place to request international aid: MOFA」、「List of relief needs forwarded to overseas」及「Taiwan desperately needs large helicopters, prefab housing」英文新聞稿傳予該組織菁英傳播對象參考運用。
12	98/08/11	將我中央社「MOFA thanks international community for typhoon condolences」英文新聞稿傳予該組織菁英傳播對象參考運用。
13	98/08/07	將我中央社「Taiwan: Government Information Office protests Miao Miao's withdrawal from Melbourne film festival」英文新聞稿傳予該組織菁英傳播對象參考運用。
14	98/08/05	將行政院新聞局「今日台灣」(Taiwan Today) 英文電子日報--「Time is not ripe for cross-strait political talks」英文新聞稿傳予該組織菁英傳播對象參考運用。
15	98/08/03	將我中央社「Taiwan medical mission serves Tibetans in northwestern India」英文新聞稿傳予該組織菁英傳播對象參考運用。

16	98/07/30	將我中央社「Cross-strait pact will not involve politics, says President Ma」英文新聞稿傳予該組織菁英傳播對象參考運用。
17	98/07/23	將我中央社「U.S. expert suggests concurrent UN memberships for Taiwan and China」英文新聞稿傳予該組織菁英傳播對象參考運用。
18	98/07/11	將我中央社「Taiwan condemns riots in Xinjiang, urges China to be tolerant」英文新聞稿傳予該組織菁英傳播對象參考運用。
19	98/06/22	將行政院新聞局「今日台灣」(Taiwan Today) 英文電子日報--「Ma sets record straight on great Chinese debate」英文新聞稿傳予該組織菁英傳播對象參考運用。
20	98/06/22	將行政院新聞局「今日台灣」(Taiwan Today) 英文電子日報--「Ireland to grant Taiwan visa-free entry」英文新聞稿傳予該組織菁英傳播對象參考運用。
21	98/06/23	助我將「Taiwan Study Seminar for EU Officials」相關資料及報名表傳送予歐洲議會相關人士(共250人)參考。
22	98/06/15	將我中央社「Taiwan sends human rights ratification documents to UN」英文新聞稿傳予該組織菁英傳播對象參考運用。
23	98/06/11	將我中央社「MOFA to make decision soon on Taiwan's U.N. bid」英文新聞稿傳予該組織菁英傳播對象參考運用。
24	98/06/08	將我中央社「Taiwan to focus on joining UN agencies」英文新聞稿傳予該組織菁英傳播對象參考運用。
25	98/05/19	將本處在我世衛代表團在瑞士日內瓦舉辦中外記者會後所撰發之英文新聞稿上傳該組織網站,並以電子通訊方式傳送該組織菁英傳播對象參考。
26	98/05/08	將我行政院衛生署葉署長「A New World Health Scenario-Let Taiwan Be Part of the Golbal Solution」專文傳予該組織菁英傳播對象參考運用。

27	98/05/04	將我中央社「U.N. to issue press cards for Taiwan reporters to cover WHA meeting」及「WHO welcomes Taiwan's participation in World Health Assembly」兩則英文新聞稿傳予該組織菁英傳播對象參考運用。
28	98/05/04	將4月22日馬總統出席美國華府智庫「戰略暨國際研究中心」(CSIS)舉辦「台灣關係法」30週年研討會視訊會議致詞內容全文)傳予該組織菁英傳播對象參考運用。
29	98/04/30	將我中央社「President Ma: "WHA participation will not harm Taiwan's sovereign status"」英文新聞稿傳予該組織菁英傳播對象參考運用。
30	98/04/29	將我行政院新聞局蘇局長俊賓「The Value and Contribution of Taiwan's WHO Participation」專文傳予該組織菁英傳播對象參考運用。
31	98/04/29	將我中央社「Taiwan invited to take part in World Health Assembly」英文新聞稿傳予該組織菁英傳播對象參考運用。
32	98/04/29	將我中央社「Taiwan expects to join other WHO mechanisms besides IHR」英文新聞稿傳予該組織菁英傳播對象參考運用。
33	98/04/28	將我中央社「Foreign ministry releases position paper on Taiwan's WHA bid」英文新聞稿傳予該組織菁英傳播對象參考運用。
34	98/04/28	將我中央社「Taiwan inks three pacts with China to strengthen cooperation」英文新聞稿傳予該組織菁英傳播對象參考運用。
35	98/04/07	將我中央社「EU Center in Taiwan scheduled to be inaugurated on May 22」英文新聞稿傳予該組織菁英傳播對象參考運用。
36	98/03/31	將我中央社「Legislature ratifies two human rights covenants Taiwan」英文新聞稿傳予該組織菁英傳播對象參考運用。
37	98/03/29	將我中央社「Taiwan IHA celebrates third anniversary」英文新聞稿傳予該組織菁英傳播對象參考運用。

38	98/03/24	將 98 年 4 月 3 日代表處與「法國國際關係研究院」在布魯塞爾合辦，以「Managing health and environmental risks and crises, lesson from Europe and Asia」為題之座談會等訊息傳予該組織菁英傳播對象。
39	98/03/23	將我中央社「Dual recognition not a diplomatic goal」英文新聞稿傳予該組織菁英傳播對象參考運用。
40	98/03/23	將我中央社「WHA bid will not undermine sovereignty」英文新聞稿傳予該組織菁英傳播對象參考運用。
41	98/03/17	將我中央社「Taiwan to actively pursue WHA bid this year」英文新聞稿傳予該組織菁英傳播對象參考運用。
42	98/03/16	將我中央社「Taiwan urges China to revoke anti-secession law」英文新聞稿傳予該組織菁英傳播對象參考運用。
43	98/03/16	將我中央社「Taiwan to invite foreign experts to help blueprint aerotropolis」英文新聞稿傳予該組織菁英傳播對象參考運用。
44	98/02/25	將我立法院王院長歐洲議會講演稿「台灣歐盟關係與兩岸關係之現況及展望」全文傳予該組織菁英傳播對象參考運用。
45	98/02/10	將我中央社「MOFA welcomes Taiwan's acceptance to U.K.'s visa-free program」英文新聞稿傳予該組織菁英傳播對象參考運用。
46	98/02/02	將我中央社「Taiwan's participation in the WHA rests with China.」英文新聞稿傳予該組織菁英傳播對象參考運用。
47	98/01/06	將我中央社「Taiwan's citizens a step closer to visa-free entry to U.S.」英文新聞稿傳予該組織菁英傳播對象參考運用。
48	98/01/06	將我中央社「'92 consensus' basis of cross-strait exchanges : Presidential Office」英文新聞稿傳予該組織菁英傳播對象參考運用。
49	98/01/06	將我中央社「Mutual trust first, then cross-strait peace agreement : MAC」英文新聞稿傳予該組織菁英傳播對象參考運用。
50	98/01/05	將我中央社「Taiwan government mum at WHA participation」英文新聞稿傳予該組織菁英傳播對象參考運用。

二、行政院新聞局九大傳播主題摺頁（98年7月至12月期間專案執行）

	日期	內容
1	98/07/21	將行政院新聞局新編印之英文版 9 大傳播主題--「A 21st-Century Nation –The Republic of China (Taiwan): A Government that Respects Human Rights and Freedom of the Press」(我政府尊重人權及新聞自由)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。
2	98/07/31	將行政院新聞局新編印之英文版 9 大傳播主題--「A 21st-Century Nation –The Republic of China (Taiwan): An Environmentally Responsible Global Citizen」(中華民國〔台灣〕是重視環保的國際公民)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。
3	98/08/6	將行政院新聞局新編印之英文版 9 大傳播主題--「A 21st-Century Nation – The Republic of China (Taiwan): Responsible Stakeholder in the International Community」(我國是國際安全事務上「負責任可信賴的利害關係者」)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。
4	98/08/11	將行政院新聞局新編印之英文版 9 大傳播主題「A 21st-Century Nation – The Republic of China (Taiwan): A Culture with Universal Appeal」(具有文化素養的台灣人民)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。
5	98/09/26	將行政院新聞局新編印之英文版 9 大傳播主題「A 21st-Century Nation –The Republic of China (Taiwan): From Foreign Aid Beneficiary to World Benefactor」(台灣善盡國際公民的責任)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。

6	98/11/12	將行政院新聞局新編印之英文版 9 大傳播主題「A 21st-Century Nation –The Republic of China (Taiwan): A global Economic Presence」(台灣在全球的經貿實力)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。
7	98/11/23	將行政院新聞局新編印之英文版 9 大傳播主題「A 21st-Century Nation –The Republic of China (Taiwan): A Place Well Worth Visiting」(台灣是值得觀光的地方)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。
8	預定 98/11/30	將行政院新聞局新編印之英文版 9 大傳播主題「A 21st-Century Nation –The Republic of China (Taiwan): A Tried and Tested Democracy」(台灣民主制度經過實證考驗)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。
9	預定 98/12/07	將行政院新聞局新編印之英文版 9 大傳播主題「A 21st-Century Nation –The Republic of China (Taiwan): Essential Partner in Global Society」(台灣期盼參與國際社會)摺頁文字內容傳送予該組織菁英傳播對象(約計 6,000 人)參考。

三、行政院新聞局「國內正面議題」國際文宣專案新聞稿
(98年9月17日起開始啟動之專案，已執行10週)

	日期	內容
1	98/09/17	將「內閣改組不影響兩岸關係開展」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計6,000人)參考。
2	98/09/23	將「吳揆：我推動加入『國際民航組織』及世界大氣測量相關公約組織」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計6,000人)參考。
3	98/09/29	將「因應地球暖化趨勢，台灣提出氣候變遷國際合作方案」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計6,000人)參考。
4	98/10/07	將「全球金融風暴周年，台灣經濟逐漸回穩」英文新聞稿傳予該組織菁英傳播對象(約計6,000人)參考運用。
5	98/10/22	將「第四次江陳會將在10月中、下旬於台中舉行」、「台灣自洗錢國家名單除名」、「台灣投資人信心連創2季歷史新高」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計6,000人)參考。
6	98/10/28	將「兩岸將互設旅遊辦事處」、「台灣研擬長期照護保險制度」及「國產H1N1疫苗人體臨床實驗效果良好」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計6,000人)參考。
7	98/11/05	將「台灣新流感疫苗自11月1日起施打」及「行政院成立『新能源推動委員會』朝低碳家園邁進」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計6,000人)參考。
8	98/11/10	將「災後三個月政府站穩腳步」及「金融海嘯一週年」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計6,000人)參考。
9	98/11/15	將「月眉農場慈濟大愛園區永久屋動工」及「台灣施打自製新流感疫苗」英文新聞稿以電子通訊方式傳送予該組織菁英傳播對象(約計6,000人)參考