

Thursday, 11 October 1990

- 4 people from Sabah, arrested under the Internal Security Act (ISA), for allegedly taking part in a secessionist plot,
  - 3 members of the Democratic Action Party (DAP), also arrested under the ISA, for demonstrating against the imposition of road tolls,
- B. alarmed that, in these cases, the Government of Malaysia has made use of arbitrary detention procedures, rather than bringing the accused for trial before an open court,
- C. recalling its earlier Resolutions against the use of such arbitrary procedures, such as those of 19 November 1987 <sup>(1)</sup> and 7 July 1988 <sup>(2)</sup>,
1. Condemns the continuing abuse of emergency legislation as a means of punishing political dissenters by governments who are otherwise unable to obtain convictions in the courts through due process of law;
  2. Calls on the Council and on the Commission to use their good offices to impress upon such governments, including the Government of Malaysia, that these practices are inconsistent with the Universal Declaration of Human Rights, and that all such detainees should either be brought to court or released;
  3. Welcomes the release of the Sarawak tribals, as well as the DAP demonstrators;
  4. Calls on the Government of Malaysia to respect native customary law;
  5. Considers that, in order to avoid further such abuse, arbitrary legal instruments such as the Internal Security Act should be abolished;
  6. Instructs its President to forward this Resolution to the Council, the Commission, and to the Government of Malaysia.

<sup>(1)</sup> OJ No C 345, 21.12.1987, p. 130.

<sup>(2)</sup> OJ No C 235, 12.9.1988, p. 102.

**(d) Joint resolution replacing B3-1758 and 1765/90**

**RESOLUTION**  
**on the Western Sahara**

*The European Parliament,*

- A. having regard to its resolution of 15 March 1989 on the political situation in the Western Sahara <sup>(1)</sup>,
- B. confirming its resolution of 15 February 1990 concerning human rights in the Western Sahara <sup>(2)</sup> and its earlier statements on the human rights situation in Morocco,
- C. having regard to the decision taken on 10 May 1989 by the Saharan independence movement, the Polisario Front, to release 200 Moroccan prisoners of war unilaterally and unconditionally,
- D. having regard to the Moroccan Government's persistent refusal to allow these 200 Moroccan soldiers to return to their homes and families,
- E. having regard to the efforts of the International Committee of the Red Cross, which have so far been fruitless, to repatriate the 200 soldiers,

<sup>(1)</sup> OJ No C 96, 17.4.1989, p. 59.

<sup>(2)</sup> OJ No C 68, 19.3.1990, p. 143.

Thursday, 11 October 1990

- F. whereas some of the Moroccan soldiers have already been prisoners of war for more than ten years,
- G. having regard to the severe psychological strain under which the present situation is placing the released soldiers and their families,
- H. drawing attention to the irrefutable legal and moral responsibility of every national government for the soldiers under its command,
- I. convinced that the return of the prisoners could contribute to the climate of détente and trust which is essential for the free and legally valid referendum planned in Western Sahara,
- J. whereas Morocco has refused prisoner of war status to the members of the Saharan army captured during the hostilities, and is not prepared to disclose any information as to their whereabouts and conditions of imprisonment,

1. Calls on the Moroccan Government immediately to authorize the return of the 200 released prisoners of war to Morocco and to respect and guarantee their freedom and rights after their return;

2. Calls on the Moroccan Government to treat their Saharan prisoners of war in accordance with the requirements of international law and, in particular, to allow the International Committee of the Red Cross to visit these prisoners;

3. Welcomes the Saharan side's humanitarian gesture of releasing the 200 Moroccan prisoners of war and invites both parties in the conflict, Morocco and the Polisario Front, to contribute to a climate of trust and a peaceful settlement of the conflict by unconditionally releasing further prisoners of war;

4. Instructs its President to forward this resolution to the Commission, the Council, the governments of the Member States, Morocco, the Polisario Front, the Secretaries-General of the UN and the OAU, and the International Committee of the Red Cross.

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**5. Protection of workers from risks of exposure (radiation) \***

— **Proposal for a directive COM(89) 376 final**

**Proposal for a Council directive on the operational protection of outside workers exposed to ionizing radiation during their activities in installations in which such radiation is used**

**Approved with the following amendments:**

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

TEXT AMENDED  
BY THE EUROPEAN PARLIAMENT

(Amendment No 1)

*Recital 2a (new)*

**Whereas there is growing evidence to suggest that the exposure limits laid down in Directives 80/836/EURATOM and 84/467/EURATOM, and applying to this directive, need to be reduced;**