

EU policies in favour of human rights defenders

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The European Parliament adopted a resolution on EU policies in favour of human rights' defenders.

In its resolution, the Parliament pays tribute to the invaluable contribution human rights' defenders make to the protection and promotion of human rights in the world and calls on the EU to prioritise a more effective implementation of the existing tools and mechanisms for a coherent and systematic protection of human rights' defenders within the European Union. It recommends that the High Representative of the European Union for Foreign Affairs and Security Policy (High Representative) develops measures and a more effective and result-oriented methodology.

Parliament also calls on the EU and its Member States to express their political will to support the action of human rights' defenders and develop new complementary mechanisms to support and promote their work creating an **environment for defenders in which they can perform their duties and enjoy protection**. This must be combined with a policy aimed at prevention and protection from attacks and threats to which they are subject.

No strict definition of "human rights' defenders": Parliament underlines the importance of not defining too precisely what is meant by 'human rights' defenders'. It welcomes the fact that the UN Declaration of 1998 does not provide a strict definition and, in this context, calls on the Council and the Commission to strongly support this approach.

Institutional strengthening and innovations under the Treaty of Lisbon: Parliament recalls that the Treaty of Lisbon places the promotion and protection of human rights at the centre of the Union's external action. Priority must be given to ensuring that the promotion of human rights as both a basic value and an objective of the Union's foreign policy is duly mirrored in the creation and structure of the European External Action Service (EEAS), including through the designation of sufficient human resources and the creation of a **central focal point with a specific responsibility for human rights' defenders within the EEAS**. The plenary also underlines the importance of human rights clauses in trade policies, partnerships and trade agreements between the EU and third countries, as well as proposing a "human rights assessment" of third countries that engage in trade relations with the EU.

To strengthen the role and effectiveness of human rights' defenders, Parliament reiterates its call to systematically appoint to each country a **highly qualified political official with a specific responsibility on human rights and democracy**. It considers that the appointment of the High Representative and the creation of a common External Action Service, could significantly enhance the coherence and effectiveness of the EU in this field. It welcomes, in this regard, the request by the Spanish Presidency to appoint a **common local liaison officer** from amongst the EU missions for human rights' defenders, with responsibility for coordinating the activities of the European Union. It requests that Parliament be informed of these appointments.

Towards a more coherent and systematic approach within the EU Human Rights Policy: given the lack of implementation of the EU's Guidelines on Human Rights' Defenders, Parliament calls for increased efforts be made so as to ensure that all of the delegations have developed local implementation strategies before the end of 2010. Several initiatives have also been proposed to strengthen coherence in this area:

- the organisation of meetings between human rights' defenders and diplomats, as well as the organisation of an international meeting of human rights' defenders, with the participation of the

relevant United Nations bodies, the secretariats of the regional human rights' conventions and international and regional NGOs;

- the strengthening of actions in favour of women human rights defenders and other particularly vulnerable groups, such as journalists and defenders working to promote economic, social and cultural rights, children's rights, as well as minorities' rights, the rights of indigenous peoples, etc;
- major aspects of local strategies for the implementation of the EU's Guidelines on Human Rights' Defenders should be reflected in Country Strategy papers/National Indicative Programmes, ENP Action Plans, Annual Action Programmes of the EIDHR and the Instrument for Stability (IfS);
- regular follow-up of specific country strategies on human rights and democracy;
- the need to systematically raise the situation of human rights defenders in all political and human rights dialogues and in trade negotiations with third countries: Parliament stresses the need to focus on the idea of promoting awareness in third countries regarding the obligations and rights embodied in the UN Declaration on Human Rights' Defenders, including the right to freedom of association, freedom of assembly and the obligation and the responsibility to protect and promote respect of human rights' defenders by creating conditions favourable to their work;
- the inclusion of the business community in human rights dialogues;
- more emphasis to be placed on the role of the European Parliament via its delegations in third countries or greater involvement of the EP in bilateral dialogues on human rights between the EU and third countries.

The plenary takes the view that, as regards receipt of domestic and foreign **funding**, specific criteria should be adopted in balance with appropriate transparency and the necessary confidentiality. It calls for measures to ensure that account is taken of **any other criterion which may be invoked by human rights' defenders** if it is considered essential for carrying out their work.

In general, Members consider there is a need for both **a coherent, coordinated EU approach** as well as room for complementary roles for Member States when it comes to protecting human rights defenders.

Combating the climate of impunity: Parliament condemns the climate of impunity for violations committed against defenders prevailing in numerous countries of the world and calls upon the Council and the Commission to raise this issue in their bilateral contacts, urging all states to ensure that perpetrators, regardless of their position or function, are brought to justice through independent and effective disciplinary and criminal procedures. It stresses the need to ensure that the invocation of national and public security, including counter-terrorism, is not used arbitrarily against human rights defenders.

Parliament calls for the Council and the High Representative to **systematically denounce and reprimand international companies** when the latter provide oppressive regimes with surveillance technology, thereby facilitating **persecution and arrests of human rights' defenders**. It considers that the development of new technologies and their impact on human rights defenders needs to be assessed and the results integrated in existing EU programmes on human rights and human rights' defenders.

Members underline the importance of independent civil society being fully involved in the preparation of all human rights dialogues, either through civil society seminars or other means. They stress the importance of continuing to raise individual cases during the dialogues and considers that making the **list of names** public would enhance the impact of EU actions and increase public attention for these cases, provided that public disclosure does not put human rights defenders at risk.

More transparency and visibility as protection measure: Parliament calls on the Council and the Commission to increase awareness among human rights defenders, the EEAS, EU embassies and EU Foreign Ministries about the existence of the guidelines through targeted actions, in order to ensure their full endorsement and application. It considers that the annual meetings foreseen in the guidelines would provide substantial support to human rights defenders and also increase the **credibility and visibility of EU action**. It calls on the High Representative and on all Commissioners with responsibilities in the area

of External Relations to **systematically meet with human rights defenders when they officially travel in third countries**. It calls on EU Missions to provide human rights' defenders and/or their families, as well as NGOs which have alerted the EU to a particular case. It underlines that support for human rights defenders should also be imperatively included in the **mandate of EU Special Representatives**. The High Representative and the Special Representatives will be held accountable by the European Parliament for their action in this regard.

The resolution underlines the need to actively support and develop proposals on how the Sakharov Prize network, launched in December 2008 on the occasion of the 20th Anniversary of the Sakharov Prize, could be used as part of a sustained support for human rights defenders, as well as to better capitalise on the possible contribution of the laureates towards different actions by the European Parliament, with the aim of fulfilling its mandate.

Towards a more coordinated and result-oriented action in favour of Human Rights' defenders: Parliament considers that the EU needs to develop a holistic approach towards human rights defenders in order to increase the credibility and efficiency of EU policy in this field. The EU should clearly **indicate the appropriate sanctions which could be applied to third countries which perpetrate serious human rights violations**, and apply them. Parliament reiterates once again its request to the Commission and the Council and in particular to the VP/HR to make the human rights clause in international agreements effective and thus to set up a genuine enforcement mechanism of that clause. In order to develop more result-oriented action, Parliament considers that the High Representative should regularly evaluate the implementation of the EU's Guidelines on Human Rights' Defenders by each EU delegation in third countries and should prioritise and closely follow up this work.

Moreover, Parliament calls on the Council to **make Europe more accessible for human rights' defenders who are unable to stay in their home countries**. It reiterates its request for Member States to develop, as a matter of priority, a coordinated policy on the issuing of **emergency visas** for human rights' defenders and members of their families. Parliament emphasises the need to accompany these emergency visas with measures of temporary protection and shelter in Europe for human rights' defenders, possibly providing for financial resources and housing to shelter human rights' defenders, as well as accompanying programmes (human rights activities, lecturing in European universities, language courses, etc.). Giving the new European Union delegations the power to make recommendations to Member States on the issuing of emergency visas would be a great step forward for the human rights policy of the Union according to the Members.

Parliament welcomes the "Shelter Cities" initiative promoted by the Czech Presidency as well as the Protection and Shelter Programme implemented by the Spanish Government since 2008. They invite the High Representative to present to the European Parliament a **manual on how to set up a shelter city**, as well as a framework proposal supporting networking between such cities. It calls on the VP/HR to finalise a European Protection and Shelter programme by the end of 2010, to be implemented in 2011. Members further emphasise that, in situations where the life or physical and mental health of a human rights' defenders might be at risk, Member States and EU delegations should also support and develop other protection tools and urgent response mechanisms.

Parliament calls, in the context of the implementation of the Treaty of Lisbon, for the EU institutions to establish an inter-institutional cooperation mechanism on human rights defenders. It understands that the creation of such a mechanism could be eased by the setting up of **focal points for human rights' defenders** in all the EU institutions and organs, with such focal points working in close cooperation with those responsible for human rights and democracy in EU missions and delegations. It invites the Council and Commission to explore the possibilities of creating an alert system mechanism to be shared between EU institutions and all other protection mechanisms.

Lastly, Parliament calls on the Commission to follow and monitor regularly the short- and long-term implementation of the EU's Guidelines on Human Rights' Defenders and to report back to its Human Rights Subcommittee.