

# Annual report on human rights in the world and the European Union's policy on the matter including implications for the EU's strategic human rights policy

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The European Parliament adopted by 580 votes to 28, with 74 abstentions, a resolution on the Annual Report on Human Rights in the World and the European Union's policy on the matter, including implications for the EU's strategic human rights policy.

The resolution stresses the importance of the EU Annual Report on Human Rights and Democracy in the analysis and evaluation of the EU's policy on the matter but notes with regret that, for the first time since the presentation of Annual Reports on Human Rights in the World, the VP/HR and/or the European External Action Service (EEAS) did not present the report to the plenary at all this year. Members very strongly encourage the VP/HR to present future such reports to Parliament and in timely fashion. They call on the VP/HR also systematically to consult with the Parliament and to report on the way that Parliament's resolutions have been taken into account.

The resolution warmly welcomes the review of the EU's human rights and democratisation policy, outlined in the [Joint Communication](#) of 12 December 2011, as a positive overview of EU potential. It calls on EU Member States to fully engage in the process and apply its outcome in their national actions as well as at European level.

Members support the fact that the Communication is anchored in the concepts of the universality and indivisibility of human rights and that the Communication centres EU action on promoting adherence to third countries' existing commitments and obligations under international human rights and humanitarian law and seeks to strengthen the system of international justice.

Parliament acknowledges, in the wake of the Arab Spring, the focus on 'bottom up' tailor-made approaches and the need to **move respect for human rights to the centre of EU foreign policy** and stresses that the EU needs to support and involve the governments, parliaments and civil society in the process of respecting and monitoring human rights.

The main issues in this resolution are as follows:

**Avoid double standards:** Parliament stresses that, for the European Union (EU) to be a credible actor in external relations, it must act consistently, in accordance with Treaty and acquis obligations and avoid double standards between its human rights policy and other external policies, between internal and external policies, and in the conduct of its relations with third countries.

Members consider that the recast of the asylum directives should put an end to continuing concerns about human rights breaches, as well as allegations of double standards by Member States in this area.

Parliament considers it regrettable that, despite the explicit call made by Parliament in the abovementioned report, a number of Member States have failed to address fully and openly their complicity in the worldwide violation of human rights that took place in the context of the US rendition and secret detention programme, and in the accompanying domestic human rights violations. It calls on

the EU institutions to maintain pressure on Member States for full and open investigations. It also calls on the United States to honour its pledge to close the detention facility at Guantánamo Bay.

The EU, the Member States and the Commission are called upon immediately to take the measures needed to ensure the **rescue at sea of migrants** trying to enter the EU and to ensure coordination and cooperation between the Member States and the competent authorities in order to avoid the drowning and death of hundreds of women, children and men at sea.

**The role of civil society:** emphasising the crucial role played by civil society in the protection and promotion of democracy and human rights, the resolution calls for the designation of **contact persons** for civil society and human rights defenders in EU Delegations to be completed. It insists on the need to improve information sharing between the different actors involved in the defence of human rights across the world, in order to enable them to gain a better understanding of the activities and actions carried out, particularly with regard to specific cases, as well as the difficulties encountered. Members stress, in this regard, that a **civil society monitoring mechanism** should be set up to ensure that civil society is systematically involved in the implementation of agreements and programmes.

**Development cooperation:** the resolution notes that the Annual Report does not include a specific section on development. Parliament urges the EU to undertake **additional efforts**, mainstream more effectively human rights and democracy across development cooperation and ensure that EU development programmes contribute to the fulfilment by partner countries of their international human rights obligations. It stresses that that democracy, respect for human rights and fundamental freedoms, good governance, peace and security are prerequisites for – and have a synergetic and mutually reinforcing relationship to – development, the reduction of poverty and the achievement of the Millennium Development Goals. Parliament reaffirms the importance of a human rights-oriented development policy and calls on the EU to set **specific, measurable, achievable and time-bound objectives** for human rights and democracy in its development programmes.

**International Criminal Court (ICC) and the fight against impunity:** Members encourage the EU and its Member States to adopt a set of internal guidelines outlining a code of conduct for contacts with persons wanted by the ICC. They call on all Member States (notably the Republic of Cyprus, the Czech Republic, Hungary, Italy, Luxembourg and Portugal) to enact national legislation on cooperation with the Court and conclude framework agreements with the ICC in order to facilitate cooperation, in particular to ensure the execution of arrest warrants and other Court requests. Members consider the **fight against impunity to be an area for priority EU action** and they consider the updating of the EU's instruments on the ICC in 2011 to be a considerable advancement which must be reflected in a forward-looking EU human rights strategy.

**EU policies to support democratisation:** Members consider that EU development aid programmes should include concrete and substantial reforms to ensure respect for human rights, transparency, gender equality and the fight against corruption in beneficiary countries. They note, furthermore, that **stricter conditionality** and suspension of aid should be applied in beneficiary countries which manifestly disregard basic human rights and freedoms and which fail to enact legislation that fulfils international obligations. They call on all EU institutions, the Member States and their embassies to make greater efforts to integrate these dialogues in all in-country EU external actions.

**Human rights and democracy clauses:** Members call for all contractual relationships with third countries, both industrialised and developing, and including sectoral agreements, trade and technical or financial aid agreements, to include **clearly worded binding clauses** on human rights and democracy, without exception. They call on the Commission to ensure a **stricter enforcement** of these clauses. The resolution asks the Commission not to be reluctant to use the suspension mechanism for standing agreements whenever the standard human rights clauses are repeatedly violated.

Members reiterate the need to develop a **single catalogue of human rights and democracy benchmarks** for descriptive and evaluation purposes, recognised by all EU institutions. They expect a comprehensive human rights chapter, in addition to social and environmental chapters, in all future **Free Trade Agreements**.

**Women and human rights:** Parliament highlights the distinctive roles, experiences and contributions of women in the context of peace and security. It welcomes the creation of UN Women, and calls on the EU to work closely with the institution at international, regional and national level to **enforce women's rights**. Members strongly condemn female genital mutilation (FGM) and urge the Commission to pay specific attention to such traditional harmful practices in its strategy to combat violence against women. They call on the Council to include the issues of 'forced marriages' and of "gender-selected" abortion in the EU guidelines on violence against women and girls.

**Children's rights:** the resolution calls on the Council and the Commission to accelerate efforts to achieve **universal ratification of the Convention on the Rights of the Child** and its Optional Protocols and to promote their effective implementation. Members call, too, for decisive efforts to advance implementation of the EU Guidelines on the Promotion and Protection of the Rights of the Child and the EU's Strategy to combat All Forms of Violence against Children. They call on the HR/VP and the European External Action Service to include in EU Annual Reports on Human Rights a section on children's rights.

Parliament expresses deep concerns about the use of children as soldiers and calls for immediate steps to be taken by the EU for their disarmament, rehabilitation and reintegration as a core element in the EU policies that aim at strengthening human rights, child protection and the replacement of violence with political conflict resolution mechanisms.

**Human rights defenders:** welcoming the EU's political commitment to supporting human rights defenders, Parliament urges the EU and its Member States to encourage EU missions and delegations to show their support and solidarity for the work undertaken by human rights defenders and their organisations, by regularly meeting and proactively engaging with them and incorporating their contributions into the development of the specific country strategies on human rights and democracy, and regularly engaging with Parliament.

Parliament reiterates its call on the EU to systematically raise individual cases of human rights defenders in the ongoing human rights dialogues it has with those third countries where human rights defenders continue to suffer harassment and attacks.

**Freedom of expression and (social) media:** welcoming the potential shown by the internet and social networking in the Arab Spring developments, the resolution calls for **increased monitoring of the use of the internet** and new technologies in autocratic regimes that seek to limit them. Members call for increased support in the areas of promoting the freedom of media, protecting independent journalists and bloggers, reducing the digital divide and facilitating unrestricted access to information and communication and uncensored access to the internet (digital freedom). They believe **telecommunications and internet service providers must learn the lessons of past mistakes**, such as Vodafone's decision to give in to demands from the Egyptian authorities in the last weeks of the Mubarak regime to suspend services, to disseminate pro-government propaganda and to monitor opponents and the population in general as well as the societies of other Member States who have sold telecommunications technologies and information to other third countries such as Libya, Tunisia etc.

The Commission is called upon to **support the development and dissemination of digital security technologies** to empower human rights defenders through secure collection, encryption and storage mechanisms for such sensitive records and the use of 'cloud' technology to ensure such material cannot be discovered and deleted.

In addition, Members share the view that ‘**digital diplomacy**’ is a new and vibrant tool and they call on the EEAS to develop clear guidelines for its delegations on how best to utilise social media, and for the development of a regularly updated social media directory for EU actors.

**Business and human rights:** the report notes that just under half of the world’s 100 largest economic actors today are private companies. It recalls that the EU has set itself the objective of promoting **Corporate Social Responsibility (CSR)** in its external policies and welcomes the call to better align European and global approaches to CSR. Members call on the Commission and the Member States to check that companies which come under national or European law do not disregard the human rights and social, health and environmental standards they are subject to when moving to or carrying out their activities.

Members commend the EU for its support for the development of UN Guiding Principles on Business and Human Rights and their unanimous adoption in the Human Rights Council.

They also welcome the EU commitment to work with enterprises and stakeholders in 2012 to develop human rights guidance for industrial sectors and SMEs, based on the UN Guiding Principles. The Commission is called upon to propose a Recommendation paving the way for a directive aimed at harmonising national measures regulating PMSC services, including service providers and the procurement of services, and the drafting of a Code of Conduct paving the way for a Decision regulating the export of PMSC services to third states.

**Fight against terrorism:** the resolution recognises that the Communication accepts the need for all counter-terrorism activities to be carried out **in full compliance with international human rights**, humanitarian and refugee law. It stresses that this principle must form part of discussions on all new counterterrorism measures within the EU and with partners in third countries and reaffirms that the EU counter-terrorism policy should specifically reference the prohibition of torture in the context of counter-terrorism, as recognised in the Council conclusions of 29 April 2008.

**Towards an ambitious common strategy:** Members call now for swift, transparent and inclusive progress to be made towards an ambitious final EU common strategy with clear actions, timetables and responsibilities and developed with full stakeholder input to put the ‘silver thread’ into action. They consider that certain actions raised within the Communication should be advanced in parallel to the progress towards an overarching strategy, namely:

- **the appointment of an EU Special Representative on Human Rights** with a high public profile and international experience in the promotion of international human rights;
- **the establishment of a permanent Brussels-based COHOM** which should routinely agree conclusions on the human rights situation in specific countries following Human Rights Dialogues;
- **the setting of a timetable** for the completion of EU Delegation human rights focal points and for the identification of human rights defender liaison officers in all third countries.

Lastly, the resolution calls for a **dramatically increased role for the European Parliament** itself in promoting transparency and accountability for implementation of the EU human rights strategy. It reiterates that the Annual Report produced by the Council does not in itself amount to an accountability mechanism and reiterates the recommendations on mainstreaming made by Parliament in its previous Annual Reports, and in the Political and Security Committee (PSC) paper of 1 June 2006 on **mainstreaming human rights across CFSP** and other EU policies, which have still not been fully implemented.