EU Special Representative for Human Rights. Recommendation to the Council

2012/2088(INI) - 13/06/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 567 votes to 32, with 80 abstentions, a recommendation to the Council on the EU Special Representative for Human Rights.

Parliament recalls that Article 21 of the Treaty on European Union reaffirms the EU's commitment to promoting human rights and democracy in all its external actions while guaranteeing coherence and consistency across these areas and between its external action and its other policies and that Article 33 of the TEU provides the legal basis for the appointment of the EU Special Representative (EUSR) for Human Rights.

Given that the European Parliament has repeatedly called for the appointment of an EU Special Representative for Human Rights (resolution of 16 December 2010 as well as its resolution of 18 April 2012), Parliament addresses, once again, a recommendation on the same issue.

It recalls that the EUSR for HR should **strengthen the visibility and coherence of the EU's Human Rights Policy** as a fundamental part of its Common Foreign and Security Policy (CFSP) and contributes to raising the EU's human rights profile worldwide.

Parliament addresses the following recommendations to the Council:

Appointment and the role of the European Parliament in this context

- the appointment of the first ever thematic EUSR should enhance the **visibility, effectiveness, coherence and accountability of the EU's human rights policy**;
- the establishment of his/her mandate is formally a Council decision based on a proposal by the EU High Representative, the EUSR for HR should act and speak on behalf of the Union, **reflecting the shared and indivisible responsibility of all EU institutions** and Member States to protect and promote human rights worldwide;
- the **European Parliament should play its appropriate role in the appointment procedure** and the oversight of the mandate during its entire term, this is why an exchange of views/hearing with the EUSR for HR nominated by the High Representative should take place in the relevant committee of the European Parliament.

Mandate

- the implementation of the mandate and its consistency with other contributions from the Union in this domain should be kept under regular review;
- the EUSR HR should work in close cooperation with the Council Working Group on Human Rights (COHOM); the EUSR for HR should be a high-level interlocutor for his/her counterparts in third countries and at international organisations, also able to engage with the UN (UNGA, UNHRC, etc.) as well as relevant regional organisations (it should chair high-level human rights dialogues and lead the consultations with third countries on human rights issues);
- the EUSR should be granted a **strong, independent and flexible mandate** not defined by narrow and specific thematic responsibilities but rather allowing the EUSR to act swiftly and effectively;
- the Special Representative should also address different horizontal issues contributing to more effective and coherent action in EU external policies;
-

- the scope of the EUSR's mandate should be fully in line with the **principles of universality and indivisibility of human rights** and fundamental freedoms and cover the strengthening of democracy, the rule of law and institution building, international justice and international humanitarian law;
- the mandate should include, inter alia, **abolition of the death penalty**, human rights defenders, the fight against impunity, the fight against torture, freedom of expression (including on the internet), of association, of assembly, of religion and of belief, minority rights, child protection, women's rights, peace and security, gender issues, and the fight against discrimination in all its forms;
- the mandate should include supporting the High Representative and the EU institutions in the promotion of the UN Guiding Principles on Business and Human Rights.

Necessary professional qualifications

- the EUSR for HR should have the necessary professional qualifications, extensive experience and proven track record in the field of human rights, as well as personal and professional integrity and an international reputation;
- the Special Representative should be appointed for **2.5 years (**renewable**)**; the Parliament should be properly consulted in a timely manner during the renewal process;
- the EUSR for HR should work closely with the High Representative of the Union for Foreign Affairs and Security Policy and the President of the European Parliament to ensure coherence and mainstreaming of human rights across all policy areas in the work of all EU institutions; the EUSR should interact closely with the EEAS Human Rights and Democracy Directorate and all the multilateral EU delegations, as well as with all EU delegations in the world.

Specific missions

- the EUSR for HR should regularly report to the relevant committee of the European Parliament on the situation of human rights in the world and the state of play of the implementation of the mandate;
- the Special Representative should cooperate with representatives of local, regional and national civil society, NGOs, experts, and regional and international organisations acting in the field of protection of human rights and democracy.

Financial and human resources

- the EUSR for HR should be provided with adequate financial and human resources and the budget should be reviewed annually;
- the EUSR for HR should be responsible for constituting a team, the team may include seconded staff from Member States and EU institutions.

The recommendation calls for a reference to be made to this recommendation to be included in the mandate of the EUSR for HR.