Annual report on human rights and democracy in the world 2011 and the European Union's policy on the matter

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The Committee on Foreign Affairs adopted the own-initiative report by Leonidas DONSKIS (ADLE, LT) concerning the annual report on Human Rights and Democracy in the World 2011 and the European Union's policy on the matter.

Members recall that the treaties commit the European Union to base its external action on the principled foundation of democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms. They also recall that **democracy and the rule of law are the best safeguards of human rights and fundamental freedoms, non-discrimination in all its forms**.

In this context, Members welcome the adoption of the EU Annual Report on Human Rights and Democracy in 2011 and believe that this report should be considered an important tool in communicating the EU's work in this field. It should help **raise the visibility of the EU's actions**.

In general, Members welcome the adoption of the EU strategic framework for human rights on 25 June 2012 and urge the EU institutions to work together to ensure its timely and proper implementation in order to credibly meet the EU treaty commitment to pursue external policies based on human rights, democratic values and the rule of law.

The Council, the Commission, the European External Action Service (EEAS) and Parliament are urged to maintain and **honour the EU's role as a leading defender of human rights** by cooperating closely in implementing a coherent, ambitious and effective EU human rights policy in the world based on this strategic framework.

Towards greater coherence: welcoming the mandate of the thematic EU Special Representative (EUSR) on Human Rights and the planned creation of a Council Working Party on Human Rights (COHOM), Members underline the importance of having within the European Union coherent, consistent and exemplary policies in line with fundamental values and principles in order to maximise the European Union's credibility globally and the effectiveness of EU human rights policies. They particularly urge the VP/HR, the EEAS, the Council and the Commission, for the sake of efficiency, to **ensure coherence and consistency between the various external financial instruments** and existing or planned EU benchmarking, monitoring and evaluation activities and methodologies regarding human rights and democracy situations in third countries, including the human rights and democracy sections in the enlargement and neighbourhood policy. Coherence must also be ensured notably in: i) the assessment of the "more for more" human rights and democracy principle set out for the European Neighbourhood Policy; ii) the planned inclusion of human rights in impact assessments carried out for legislative and non-legislative proposals and for trade, partnership and association and*c*ooperation agreements**,** both regional and bilateral; iii) the Commission plan to introduce human rights assessment in the deployment of EU aid modalities (in particular regarding budget support); iv) the strengthened implementation of themonitoring mechanism to scrutinise respect for human rights conventions in the GSP+ countries; and v) taking into account continued and systematic consideration of aspects relating to human rights, gender and children affected by armed conflict in the lessons-learned documents of the CSDP missions.

Local cooperation and civil society: overall Members support a greater concentration on the local level in the matter of human rights. They urge also that regular contacts be maintained with civil society representatives, human rights defenders and members of national parliaments. Great attention should be paid, in particular, to protecting **human rights defenders**.

2011 Report on Human Rights: progress and obstacles: the report covers all of the actions carried out within the framework of the European Union as regards human rights. Generally, and on each topic approached, the Members concluded as follows:

- **EU action within the UN**: Members welcome EU efforts to support and revitalise the human rights work within the UN system but reiterate their opposition to the practice of regional groups arranging uncontested elections to the Human Rights Council;

- **International Criminal Court (ICC)**: Members reiterate their strong support for ICC and call on the EU and its Member States to continue their political, diplomatic, logistical and financial backing of the ICC and other international criminal tribunals; they call for more intense efforts to encourage ratification and broader implementation of the Statute of Rome in the world;

- **International humanitarian law (IHL)**: Members call on the EU to give more political prominence, and devote more resources, to the implementation of these guidelines, especially by ensuring that IHL is mainstreamed in crisis-management operations, and by proactively fighting impunity;

- **Arab spring**: Members emphasise the significance of the 2011 uprisings in the Arab world and calls for consistency in EU's human rights policy approach to the South and the East. In general, they underline the **need to avoid in the East the same kinds of policy mistakes that were made in the South prior to the Arab Spring of 2011**;

- **Election Observation Missions (EOM):** Members reiterate their call on the Council and the Commission to develop a coherent, long-term strategy in relation to each EU election observation mission and coordination with other international election observation missions;

- **Human rights dialogues and consultations with third countries**: Members reiterate their concern with the persistently disappointing lack of progress in a number of human rights dialogues, and the lack of transparent benchmarks to genuinely assess improvements or deterioration in human rights in certain countries. They note the continued EU difficulties to negotiate improved modalities for its human rights dialogues in particular with **China** and **Russia**;

- **Human rights clause**: Members welcome the EU's efforts to include a human rights and democracy clause in all EU political framework agreements, but reiterates its 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 conditionality and clauses on human rights and democracy, **without exception**. They also call on the European Union to ensure that all trade agreements it signs with third countries include clauses which promote social cohesion, ensure respect for social, environmental and labour standards and the sound management of natural resources, in particular land and water.

- **Abolition of the death penalty**: Members underline their **unfaltering stance against the death penalty** in all cases and call on Member States to refrain from marketing or promoting equipment

that is prohibited under the Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment;

- **Anti-discrimination**: in general, the Members recall the fight against discrimination on all grounds in the world, including those touching on sexual orientation or identity;

- **Defence of the rights of women and the rights of children**: Members specifically urge the EU to enhance its action to end the practices of female genital mutilation (FGM), early and forced marriages, honour killings, and gender-selective abortion and call on the Commission and the EEAS to give specific attention to female genital mutilation (FGM) as part of an overall strategy for combating violence against women. At the same time, measures must be taken, in the context of the Union's external policies, for the protection of the rights of children by establishing their need for specific protection, in recognition of their greater vulnerability.

Lastly, Members ask for measures on the matter of freedom of expression (including numerical freedom), of freedom of thought but also of conscience and religion, including that of unbelievers.

It should be noted that the report concludes with an appendix covering the actions taken by the Union as regards human rights in the world in 2011 and the way in which the Parliament expressed itself on a case-by-case basis on each situation considered.