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 European Parliament adopted by 482 votes for to 48 against, with 83 abstentions, a resolution on the annual report on Human Rights and Democracy in the World 2011 and the European Union's policy on the matter.

Parliament recalls 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. It also recalls 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, Parliament welcomes the adoption of the EU Annual Report on Human Rights and Democracy in 2011 and believes 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, Parliament welcomes the adoption of the EU strategic framework for human rights on 25 June 2012 and urges 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 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), Parliament underlines 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. It particularly urges 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, Parliament supports a greater concentration on the local level in the matter of human rights. It urges 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 resolution covers all of the actions carried out within the framework of the European Union as regards human rights. Generally, and on each topic addressed, Parliament concludes as follows:

- **EU action within the UN**: Parliament welcomes EU efforts to support and revitalise the human rights work within the UN system but reiterates its opposition to the practice of regional groups arranging uncontested elections to the Human Rights Council. In passing, Parliament recalls the adoption by the UN General Assembly of Resolution 65/276 **on the participation of the EU in the work of the UN**, recognising it as a modest start to the greater endeavour of upgrading the role of the Union in the human rights work of that organisation;

- **International Criminal Court (ICC)**: Parliament reiterates 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; it calls for more intense efforts to encourage ratification and broader implementation of the Statute of Rome in the world. Parliament in passing celebrates the 10th anniversary of the entry into force of the Rome Statute of the International Criminal Court (ICC) and recalls that it recognises the ICC as a mechanism of "last resort", which is responsible for the enforcement of justice for the victims of crimes against humanity, genocide and war crimes;

- **International humanitarian law (IHL)**: Parliament calls on the EU to give more political prominence, and devotes more resources, to the implementation of these guidelines, especially by ensuring that IHL is mainstreamed in crisis-management operations, and by proactively fighting impunity. Parliament further emphasises the need to ensure that the issue of the fight against impunity for crimes against humanity, war crimes and genocide is addressed more systematically in the EU's bilateral relations with relevant countries, including by raising it in public statements. The EU must address impunity more consistently at multilateral level, for instance at the UN General Assembly and Human Rights Council;

- **Arab spring**: Parliament emphasises 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, it underlines 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**. Parliament underlines the importance of the role of women, and of their full participation in political and economic decision-making, especially in post-war peace-building processes, democratic transition negotiations and conflict resolution, reconciliation and stabilisation processes, in terms of the goal of increasing awareness and attention with a view to eliminating the discrimination suffered by women in the democratisation processes under way. Parliament also recalls the worrying situation in Western Sahara, demanding the opening of the territory to independent observers, NGOs, and the media. Parliament also remains extremely concerned about the situation of human rights in Belarus, the only European Neighbourhood country not to fully participate in the Eastern Partnership;

- **Election Observation Missions (EOM):** Parliament reiterates its 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**: Parliament reiterate its 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. It recommends that human rights country strategies be made public so as to provide visibility to the EU's commitment to human rights in third countries. It notes the continued EU difficulties to negotiate improved modalities for its human rights dialogues in particular with **China** and **Russia**;

- **Human rights clause**: Parliament welcomes 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**. It also calls 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**: Parliament underlines its **unfaltering stance against the death penalty** in all cases and calls on Member States to refrain from marketing or promoting equipment that is prohibited under the Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment. It urges the EU and its Member States consistently to bring this issue up as a matter of priority in their dialogues with third countries;

- **Anti-discrimination**: in general, Parliament recalls the fight against discrimination on all grounds in the world, including those touching on sexual orientation or identity. It requires the Member States to vigorously oppose any attempt to undermine the **concept of universality, indivisibility and interdependence of human rights** and to actively encourage the UNHRC to pay equal attention to the question of discrimination on all grounds, including gender, gender identity, race, age, sexual orientation and religion or belief;

- **Defence of the rights of women and the rights of children**: Parliament specifically urges the EU to enhance its action to end the practices of female genital mutilation (FGM), early and forced marriages, honour killings, and forced and gender-selective abortion, and calls 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. Parliament reaffirms a strong and progressive approach to sexual and reproductive rights for all that is consistent with international human rights standards. To this end, Parliament recalls the UN Human Rights Council Resolution 11/8 entitled "Preventable maternal mortality and morbidity and human rights", which affirms that the prevention of maternal mortality and morbidity requires the effective promotion and protection of the human rights of women and girls. 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, Parliament asks 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. On freedom of expression, Parliament regrets in particular the position of China, Russia and other countries who mistakenly consider high human rights standards as a diktat from the European Union and the United Nations. Similarly, on religious freedom, Parliament recalls the situation in China where people who practice their faith outside the official channels, including Christians, Muslims, Buddhists and followers of the Falun Gong, are systematically persecuted.