Functioning of the human rights dialogues and consultations on human rights with third countries

2007/2001(INI) - 17/07/2007

The Foreign Affairs Committee adopted an own-initiative report drawn up by Elena **Valenciano Martinez-Orozco** (PES, Spain)on the functioning of the human rights dialogues and consultations on human rights with third countries. It took the view that human rights issues should be placed at the highest political level in order to give more political weight to human rights concerns. It called on the Council once again systematically to apply in full the Human Rights and Democracy Clause in all EU agreements and relations with third countries. The report noted that there is a wide variety of dialogues and consultations, each based on different structures, formats, frequencies, and methodologies, but that neither the Council nor the Commission has devised a method for organising and systematising these dialogues and consultations, making the results impossible to view from an overall perspective.

In order to **increase coherence**, it was essential to find ways of improving coordination among the different EU institutions (the Council, the Commission, and Parliament) by establishing an interinstitutional trialogue on the political dialogue and the human rights dialogues and consultations. The Committee also recommended increasing coherence with other states and international organisations, and cited the Berne Process established by Switzerland for relations with China.

The report made a series of **recommendations to the Council**, the main ones being the following:

- to implement the COHOM mandate so as to ensure coherence between the dialogues or consultations, and to consider making COHOM a working party with representatives based in Brussels, and to cooperate closely with the European Parliament's competent committee;

- to enhance the role of the Human Rights Unit of its General Secretariat by allowing it to be involved in the conduct of the political dialogues;

- to increase coherence among the bilateral human rights dialogues and consultations conducted by individual Member States and by the EU, and to increase the role of COHOM in coordinating the activities of Member States' embassies with those of the Commission's delegations;

Recommendations to the Commission were also made:

- to include in each Country Strategy Papers and other Strategy documents a specific strategy on human rights and the situation pertaining to democracy and to use it as a framework for political dialogue;

- to ensure that, within the staff serving at any given time in each EU delegation in a third country, an EU official is in charge of the human rights dialogue and consultations;

- to ensure coherence between Election Observation Missions (especially as regards the post-electoral strategy) and the process of human rights dialogues and consultations;

- to apply and use the results of human rights dialogues and consultations in drawing up yearly strategies providing a basis for implementation of projects under the European Instrument for Democracy and Human Rights (EIDHR) and systematically to link those two tools.

Members went on to suggest measures with the aim of **increasing the transparency of, and publicity given to, human rights dialogues and consultations.** The Council was asked to ensure that, before the EU sets the specific goals to be attained by entering into a dialogue or consultation with the country in question, consultations are first held with all interested parties, especially with Parliament and NGOs. The Council should set clear criteria for the initiation, suspension or termination of a dialogue or consultation. Effective follow-up mechanisms must be established to deal with the points raised and in the final recommendations.

The report then suggested a series of measures for **enhancing the role of the European Parliament**. It wanted more detailed and frequent information, and called on the Council and the Commission, as a matter of course whenever a round of dialogue or consultation has taken place, to hold a consultation session and a debriefing with Members of Parliament, and repeats its call for Parliament to be involved in decisions to continue or suspend a dialogue and consultation. It insisted that **women's rights** were an integral part of human rights and urged the Commission to include the promotion of women's rights explicitly in all EU human rights dialogues and consultations on human rights with third countries. There was a need to set up a transparent mechanism specifically concerning women's rights for the monitoring of the human rights clause in the EU's external agreements and to take appropriate action should this clause be breached.

The Committee moved on to discuss the **functioning of the various forms of human rights dialogues** and consultations with third countries, including the structured dialogues with China and Iran, the consultation with Russia, dialogues based on the Cotonou Agreement, dialogues with Central Asia dialogues based on a partnership and cooperation agreement under the Neighbourhood Policy, with Latin America, dialogues based on trade and cooperation agreements, and lastly, ad hoc dialogues.