Basic information

2008/2336(INI) INI - Own-initiative procedure	Procedure completed
Annual report on human rights in the world 2008 and the European Union's policy on the matter **Subject** 6.10.09 Human rights situation in the world	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	AFET Foreign Affairs	OBIOLS Raimon (PSE)	24/06/2008

European Commission	**Commission DG**	**Commissioner**
	External Relations	FERRERO-WALDNER Benita

Key events

Date	Event	Reference	Summary
15/01/2009	Committee referral announced in Parliament		
31/03/2009	Vote in committee		Summary
14/04/2009	Committee report tabled for plenary	A6-0264/2009	
06/05/2009	Debate in Parliament		
07/05/2009	Decision by Parliament	T6-0385/2009	Summary
07/05/2009	Results of vote in Parliament		
07/05/2009	End of procedure in Parliament		

Technical information

Procedure reference	2008/2336(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Annual report
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	AFET/6/71257

Documentation gateway				
European Parliament				
Document type	**Committee**	**Reference**	**Date**	**Summary**
Committee draft report		PE416.698	17/12/2008	
Amendments tabled in committee		PE419.926	09/02/2009	
Committee report tabled for plenary, single reading		A6-0264/2009	14/04/2009	
Text adopted by Parliament, single reading		T6-0385/2009	07/05/2009	Summary

Annual report on human rights in the world 2008 and the European Union's policy on the matter

2008/2336(INI) - 07/05/2009 - Text adopted by Parliament, single reading

The European Parliament adopted by 429 votes to 36, with 55 abstentions, a resolution on the Annual Report on Human Rights in the World 2008.

Parliament considers that the EU needs to move towards a coherent and consistent policy of upholding and promoting human rights around the world. It stresses the need to **conduct such a policy more effectively**. It reiterates its conviction that, in order to effect an improvement in the promotion of human rights, the EU's common foreign and security policy **(CFSP) needs to be strengthened**.

Parliament also stresses the increased expectations in relation to the EU's role in the world. It therefore calls for a common EU human rights line both in its external policy and within its own borders. Moreover, it calls for continued maximum vigilance as regards respect for the human rights clauses in the agreements signed by the EU and its third-country partners.

The EU Annual Report on Human Rights 2008: Parliament reiterates its request that more and better information should be provided for the assessment of policies and call for a better targeting of information on certain countries, for example by focusing on "countries of particular concern" (and where it is particularly difficult to promote human rights). Moreover, it calls for greater efforts to disseminate the annual report and for public information campaigns aimed at raising the EU's profile in this field. The information called for by MEPs includes an evaluation of Member States' practices in relation to the anti-terrorism policies followed by the US Administration under the Bush presidency. In accordance with an amendment adopted in plenary, the Parliament calls on the Council to envisage inclusion of the Movimiento Revolucionario Túpac Amaru (MRTA) on the European list of terrorist organisations.

Council and Commission activities in international forums: Parliament reiterates its request to the Commission to encourage Member States, and third countries with which there are ongoing negotiations for future accession or for strengthening relations, to sign up to and ratify all core United Nations and Council of Europe human rights conventions. It calls specifically for a framework agreement to be concluded between the EU and the United Nations Human Rights Council (UNHRC) with a view to promoting the ratification and implementation of United Nations conventions by all Member States.

Towards the universal ratification of the Rome Statute on the ICC: Parliament calls for vigorous efforts to promote universal ratification of the Rome Statute on the International Criminal Court (ICC). The Czech Republic, as the only remaining EU Member State not to have ratified the Rome Statute, is called upon to finally do so.

Furthermore, whilst Parliament welcomes the arrest and transfer of Radovan Karadžić to the International Criminal Tribunal for the former Yugoslavia (ICTY), it notes with concern that Ratko Mladić and Goran Hadžić remain at large. Further noting the persistent failure of Sudan to arrest and transfer to the ICC Ahmad Harun and Ali Muhammad Ali Abd-Al-Rahman ('Ali Kushayb'), Parliament calls for additional measures to counter the measures taken by President al-Bashir following his conviction. It also calls on the EU and Member States to make efforts to enforce the Council's conclusions on Sudan. Other black spots in terms of non respect of human rights are highlighted, for example in the DRC and Uganda. Noting with satisfaction the first promising statements on the ICC by the new US administration, acknowledging that the ICC "looks to become an important and credible instrument for trying to hold accountable the senior leadership responsible for atrocities committed", Parliament calls on the USA to further engage with the ICC.

Durban II Conference on Racism: several amendments adopted in plenary state that Parliament is disappointed at the lack of leadership on the part of the Council and the inability of Member States to agree on a common strategy at the Durban Review Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Geneva from 20 to 24 April 2009 (Durban II). It deeply deplores the lack of unity and cooperation, in particular against the backdrop of the expected intensification of EU foreign policies under the new EU Treaty. Plenary calls on the Commission and, notably, the Council to explain to Parliament whether an EU strategy was planned and what efforts were made to find a common line. Parliament condemns the speech of President Mahmoud Ahmadinejad (Iran), which contradicted the spirit and purpose of the conference.

The United Nations Human Rights Council: whilst welcoming the work of the UNHRC and its crucial role within the overall UN architecture, Parliament considers that the EU should closely follow and monitor the undertakings of the Universal Periodic Review (a new mechanism for reviewing the human rights situation in every country in the world, based on reliable and objective data). Parliament also notes that EU Member States are in a minority in the UNHRC and call for concerted action to remedy this. In this context, they propose that Member States should strengthen their engagement with democratic governments from other regional groups (particularly to counteract the policy of voting in regional blocs within the UNHRC). In general, Parliament calls for enhanced cooperation between the Council of Europe and the European Union in the field of promoting minority rights and protecting regional and minority languages.

Intercultural dialogue: plenary welcomes the European Year of Intercultural Dialogue 2008, which was initiated by the Commission and established by decisions of the European Parliament and the Council. It reiterates that intercultural dialogue has an increasingly important role to play in fostering European identity and citizenship. It urges the Member States and the Commission to bring forward strategies to foster intercultural dialogue, to promote, within their spheres of competence, the objectives of the Alliance of Civilisations, and to maintain their political support for that Alliance.

Performance as regards the European Union human rights guidelines: Parliament considers that, despite the delay in final ratification of the Lisbon Treaty, the preparations for the creation of the new European External Action Service should continue. It takes note of the Slovenian and French Presidencies' drive to finalise European Union human rights guidelines on the rights of the child. Now it considers that necessary measures should be taken to ensure that human rights issues are followed in a more systematic way by the EU missions, for instance by appointing **human rights focal points** and including guidelines on human rights.

Situation of women and violence against women: Parliament welcomes the new priority status given by the French Presidency to women's issues. In this context, it calls for a more serious examination of the case of Zimbabwe and for greater attention to be paid to the situation of women in conflict-affected countries.

The death penalty: whilst Parliament welcomes the Joint Declaration against the death penalty, signed on 10 October 2008 by the Presidents of the European Parliament, of the Council and of the Commission, it calls on the Presidency to encourage Italy, Latvia, Poland and Spain, which have signed but not yet ratified Protocol No 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) concerning the abolition of the death penalty in all circumstances, to do so. It reiterates that the **EU is opposed to the death penalty in all circumstances** , and emphasises once again that the abolition of the death penalty contributes to the enhancement of human dignity. Noting the fact that the death penalty is in retreat, Parliament condemns the fact that the Iranian regime still sentences to death and executes defendants under the age of 18 (particularly homosexuals). It recalls that Iran is the only country to have executed juvenile offenders in 2008. Parliament is also concerned about the possibility that the death penalty might once again start to be enforced in Guatemala. It also remains concerned that China still carries out the greatest number of executions worldwide. Moreover, Parliament condemns the practice of the death penalty in Belarus, which is the only country in Europe that continues to use the death penalty.

Torture and other cruel, inhumane or degrading treatment: Parliament urges all EU Member States that have not hitherto signed and/or ratified the Optional Protocol to the Convention Against Torture (OPCAT) to do so as swiftly as possible. It expects the Council and the Commission to enhance the cooperation with the Council of Europe for the purposes of creating a Europe-wide zone free from torture and other forms of ill-treatment, thereby setting an example for other countries of the world. Members welcome the assessment of the EU Guidelines on Torture, which are designed to provide guidance for EU missions in third countries. They urge the Council and the Commission to continue the practice of demarches in respect of all of the European Union's international partners as regards the ratification and implementation of international conventions banning the use of torture and ill-treatment. In particular, they call for the fight against torture and ill-treatment to be regarded as a top priority of the EU's human rights policy.

Children's rights: Parliament stresses once again the crucial need to implement the EU Guidelines on Children and Armed Conflict. It notes with satisfaction that the EU has instructed ambassadors to devise individual strategies regarding the 13 priority countries and welcome the adoption by the EU in June 2008 of the revised checklist, which aims to integrate the protection of children affected by armed conflict into the European Security and Defence Policy. Parliament also strongly condemns the recruitment and use of children in armed conflicts in Chad and Iraq as well as the continued use of children in the armed conflicts in Sri Lanka, Burma, the Philippines, Somalia, Congo and Burundi.

Human rights defenders: Parliament reiterates the EU's commitment to improving protection for human rights defenders in their struggle to realise the vision set forth in the Universal Declaration of Human Rights. It draws attention to the abuse and sexual exploitation of millions of children worldwide and asks the Council and Member States to do everything possible to prevent and combat the sexual exploitation and sexual abuse of children.

Parliament urges the EU institutions to strengthen their support for human rights defenders by creating a focal point in the European Parliament, the Council and the Commission with a view to improving the follow-up of individual cases and coordination with other international and European organisations. It calls on the Union to consider the matter of **emergency visas** for human rights defenders by including a clear reference to the specific situation of human rights defenders.

In general, MEPs strongly reject the systematic violence and the recurrent acts of harassment suffered by the Sakharov Prize laureates. Plenary r eiterates its position with regard to the Cuban Sakharov Prize winners Oswaldo Payá Sardiñas and the group known as "Damas de Blanco" ("Ladies in White"). It regards it as intolerable that a country with which the EU has reassumed a political dialogue on all kind of matters, including human rights, should refuse to allow both Oswaldo Payá and the Damas de Blanco to participate in the ceremony marking the 20th anniversary of the Prize. In this respect, Parliament calls on the Cuban government to release immediately all political prisoners and prisoners of conscience and to recognise the right of all Cubans freely to enter and leave the country.

Guidelines on human rights dialogues and recognised consultations with third countries: Parliament notes the revised version of the guidelines, adopted under the French Presidency, on human rights dialogues with third countries and calls on the Council and the Commission to initiate a comprehensive evaluation of those guidelines, based on an in-depth evaluation of each dialogue.

Parliament makes a number of points concerning areas of the world where the Council and the EU have been forced to act or express their view:

- **China**: Parliament stresses the need for a radical intensification and re-thinking of the European Union-China human rights dialogue. It is particularly concerned about the serious human rights violations in China, despite promises made by the regime before the Olympic Games in 2008. It strongly condemns the crackdown against Tibetans and calls for the restart of a sincere and results-oriented dialogue between both parties based on the "Memorandum on Genuine Autonomy for the Tibetan People". It calls on the Chinese government to release the Chinese dissident Hu Jia (who was awarded the 2008 Sakharov Prize) immediately and calls for free and full access to the Internet;
- **Iran**: Parliament remains concerned that the human rights dialogue with Iran has been interrupted since 2004. It calls on the Iranian authorities to resume this dialogue with a view to supporting all civil society stakeholders who are committed to democracy, and to strengthen existing processes that can foster democratic reforms. Members are deeply concerned that, in 2008, the human rights situation in Iran worsened and the restrictions on freedom of expression and assembly persisted (in particular, the suppression of journalists, writers, scholars and women's rights and human rights activists). They remain concerned about the repression of ethnic and religious minorities in Iran and the increasing use of the death penalty, including in respect of juveniles;
- **Russia**: Parliament regrets that the Russian authorities declined to participate in any of the round-table meetings held to prepare for the consultations which involved domestic and international NGOs. During the consultations the EU raised human rights concerns with a particular focus on freedom of expression and assembly, the functioning of civil society, minority rights, combating racism and xenophobia and the rights of children and women, as well as the international human rights obligations of both the EU and Russia. It also regrets that the EU has not succeeded in bringing about any change of policy in Russia, particularly following the Khodorkovsky affair. Parliament calls for the independence of the media and freedom of expression, as well as the liberalisation of the activities of NGOs in Russia. Moreover, it expresses its concern about the ongoing failure of the Office of the Prosecutor to respect the right of Mikhail Khodorkovsky and his associate Platon Lebedev to a fair trial;
- **Israel and North Africa**: Parliament calls on the Council and the Commission to set up human rights subcommittees with all neighbourhood countries, and in particular with Israel. Parliament believes that these subcommittees should allow the human rights issues included in the action plan to be specifically followed up but stresses that discussions on human rights should certainly not be confined to these subcommittees. It emphasises the importance of coordination with other subcommittees dealing with human rights-related issues, such as migration and highlights the need to include these issues in the political dialogue up to the highest level so as to increase the coherence of the EU's policy in this field. Parliament is convinced that the European Neighbourhood Policy could give real leverage for the promotion of human rights were the European Union to demonstrate a genuine political will to ensure respect for the primacy of human rights in a coherent, systematic and wide-ranging manner. It believes, therefore, that respect for human rights and democratic principles must be a **precondition** for strengthening relations between the Union and a third country. In the context of concluding a framework agreement with Libya, MEPs call on the Council and the Commission to give due attention to dialogue and cooperation on human rights;
- **Gaza**: Parliament strongly deplores the recent military escalation and the further deterioration of the humanitarian situation in Gaza, expressing at the same time its unconditional sympathy for the civilian population in southern Israel. Members urge all parties to fully implement UN Security Council resolution 1860 (2009) with a view to securing a permanent ceasefire. They underline the urgent need for effective accountability in cases of violations of international humanitarian law. Parliament welcomes in this regard the decision of the UNHRC to appoint an independent fact-finding mission to investigate war crimes and serious human rights violations by all sides during the recent conflict in Gaza. The Commission is asked to decide, in close consultation with the Member States, on the further action to be taken once the findings are known;
- **Uzbekistan**: Parliament notes the continuing absence of an independent international inquiry into the Andijan massacre and the lack of any improvement in the human rights situation in Uzbekistan. It welcomes the release of two human rights defenders, Dilmurod Mukhiddinov and Mamarajab Nazarov, but condemns the holding of independent journalists in prison on politically motivated charges. It urges the Uzbek authorities to release all human rights defenders and other political prisoners and to accept the accreditation of the new Country Director of Human Rights Watch. Parliament also calls on Uzbekistan to cooperate fully and effectively with the UN Special Rapporteurs on torture and on freedom of expression. It welcomes the fact that the Council has decided to renew, for a period of 12 months, the arms embargo;
- **Turkmenistan**: Parliament welcomes the fact that the European Union and Turkmenistan held the first round of the human rights dialogue in July 2008. It stresses that that Turkmenistan must make progress in key areas in order for the EU to conclude the Interim Agreement, inter alia by allowing the International Committee of the Red Cross free and unfettered access, by unconditionally releasing all political prisoners and prisoners of conscience, by abolishing all government impediments to travel, and by allowing all NGOs and human rights bodies to operate freely in the country. Parliament calls on the Council and the Commission to clearly articulate, prior to the signing of the Interim Agreement, specific human rights improvements and to that end, to adopt a roadmap with clear timelines for compliance;
- **Turkey**: Parliament recalls the importance of both Turkey's and the EU's commitment to Turkey's accession process for the ongoing human rights reforms in Turkey. It considers as a positive step towards freedom of speech in Turkey the decision of the government to permit the broadcasting of Kurdish television but regret the fact that the use of the Kurdish language is still banned in parliament and in political campaigning. It reiterates that further legislative reforms are needed in order to ensure respect for and protection of minorities and full freedom of expression, in law and in practice, in Turkey;
- **Pakistan**: Parliament calls on the new Pakistani Government to take adequate steps towards the improvement of the human rights situation in Pakistan. It welcomes the fact that the EU deployed an independent election observation mission for the general parliamentary elections in February 2008 and stresses the need for human rights to be one of the EU's main priorities within the framework of continuing dialogue with Pakistan;
- **Latin America**: Parliament welcomes the Council's proposals for launching human rights dialogues with a number of Latin American countries. It stresses the desirability of including the countries of Central America. Moreover, MEPs call on the Cuban government to release all political prisoners and prisoners of conscience and to recognise the right of all Cubans freely to enter and leave the country. Parliament notes that the Council will decide in 2009 whether to pursue the political dialogue with Cuba, depending on whether or not there have been significant improvements as regards human rights;
- **Georgia**: Parliament calls on Russia as an occupying power in Georgia to uphold human rights in Abkhazia and South Ossetia, including the right of citizens to return to their homes. It asks all governments concerned to continue to provide detailed maps and information concerning all areas affected by the conflict, so as to facilitate the clearance of cluster weapon munitions and make those areas safe for civilians. Both governments should also ensure that the public is made aware of the dangers of unexploded material;
- **Burma**: Parliament expresses its concern about the lack of progress in the human rights situation in Burma, especially in view of the upcoming elections scheduled for 2010. It condemns the arrests of members of the Burmese opposition and the draconian sentences they received.

General scrutiny of Council and Commission activities (including the performances of the two Presidencies): Parliament calls for greater efforts and more determined action by the EU with a view to achieving a political settlement to the **Darfur** conflict. It stresses the need to find a solution to the conflict arising in the Central African Republic and Chad, and express their intention to authorise the deployment of a UN military component to follow up EUFOR Chad/CAR.

Parliament welcomes the fact that the Council establishes and regularly updates lists of focus countries in respect of which additional concerted efforts are made with a view to implementation of the European Union Guidelines on children and armed conflicts, on the death penalty (so-called 'countries on the cusp') and on human rights defenders. It reiterates its request that all human rights and democracy discussions with third countries, instruments, documents and reports, including the Annual Reports on human rights, explicitly address discrimination issues including the issues of ethnic, national and linguistic minorities, religious freedoms and caste-based discrimination, the protection and promotion of the rights of indigenous peoples, the human rights of women, and the rights of children, disabled people including people with intellectual disabilities, and people of all sexual orientations.

The Commission's external assistance programmes and the EIDHR: Parliament welcomes the fact that Parliament's priorities have been taken into consideration in the 2007 and 2008 programming documents of the EIDHR. It calls for the updating of the electronic compendiums, which are intended to cover all EDIHR projects organised geographically and thematically and once again calls on the Commission to adjust the level of staffing allocated for the implementation of the EIDHR, both at headquarters and in the delegations, so as to take account of the peculiarities and problems of this new instrument.

Electoral assistance and election observation: Parliament notes with satisfaction that the EU makes increasing use of electoral assistance and election observation to promote democracy in third countries. It stresses that the comprehensive EU methodology has been very successful for the EU and welcomes the publication of the first Handbook for EU election observation. However, it calls for increased vigilance with regard to the criteria for selection of the countries in which electoral assistance/election observation is to take place. According to MEPs, the electoral process, including both the pre- and post-electoral stages, should be incorporated into the different levels of political dialogue with the third countries concerned.

Economic, social and cultural (ESC) rights: Parliament stresses that economic, social and cultural rights are just as important as civil and political rights. It therefore calls on the EU to mainstream protection of ESC rights into its external relations with third countries. Those rights include rights to food, to adequate housing, to education, to water, to land, to decent work, to social security and to form a trade union. Members also stress the need to promote corporate social responsibility. Once again, they call on the Council and the Commission to take EU initiatives at international level with a view to fighting persecution and discrimination based on sexual orientation and gender identity.

Effectiveness of the European Parliament's interventions in human rights cases: Parliament calls on the Council to respond in a substantive manner to the wishes and concerns expressed in formal communications from Parliament, particularly with respect to urgency resolutions. It welcomes the ground-breaking statement, supported by 66 nations including all EU Member States, presented in the UN General Assembly on 18 December 2008, confirming that international human rights protections include sexual orientation and gender identity and reaffirming the principle of non-discrimination, which requires that human rights apply equally to every human being regardless of sexual orientation or gender identity. It reminds Parliament's delegations visiting third countries that they should systematically include in the agenda an interparliamentary debate on the human rights situation, as well as meetings with human rights defenders.

Plenary is convinced that only **a strengthened human rights body in Parliament would be able to promote a coherent, effective, systematic and cross-cutting human rights policy within Parliament** and vis-à-vis the Council and Commission, in particular in the light of the foreign policy provisions of the Lisbon Treaty. Members believe that the Parliament should quickly decide on its operating arrangements and put in place the resources necessary to achieve its objectives.

Lastly, Parliament reiterates its demand that all winners of the Sakharov Prize and, in particular, Aung San Suu Kyi, Oswaldo José Payá Sardiñas, the Cuban collective Damas de Blanco and Hu Jia be given access to the European institutions. It deplores the absence of any significant response to the EU's calls made to the Chinese, Burmese and Cuban authorities to respect fundamental freedoms, especially freedom of expression and political association.