

**Beschlussempfehlung und Bericht  
des Ausschusses für Menschenrechte und humanitäre Hilfe (17. Ausschuss)**

**zu dem Entwurf des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr 2019  
Ratsdok. 8404/20\***

**– Drucksache 19/22367 A.68 –**

**A. Problem**

Der EU-Jahresbericht 2019 bietet einen zusammenfassenden Überblick über das weltweite Engagement der EU für Menschenrechte und markiert die letzte Phase der Umsetzung des EU-Aktionsplans für Menschenrechte und Demokratie für den Zeitraum von 2015 bis 2019, auf den der Aktionsplan für die Jahre 2020 bis 2024 folgt. Der Bericht geht zudem darauf ein, dass im Jahr 2019 die ersten EU-Leitlinien zu wirtschaftlichen, sozialen und kulturellen Rechten verabschiedet wurden: die EU-Menschenrechtsrichtlinien zu sauberem Trinkwasser und sanitären Einrichtungen.

**B. Lösung**

**Annahme einer Entschließung mit den Stimmen der Fraktionen der CDU/CSU und SPD gegen die Stimmen der Fraktionen DIE LINKE. und BÜNDNIS 90/DIE GRÜNEN bei Stimmenthaltung der Fraktionen der AfD und FDP.**

**C. Alternativen**

Keine.

**D. Kosten**

Wurden nicht erörtert.

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\* Von einer Drucklegung der Ratsdokumente wird abgesehen. Diese sind auf Bundestagsdrucksache 19/27568 auf der Internetseite des Bundestages abrufbar.

**Beschlussempfehlung**

In Kenntnis des Entwurfs des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr 2019 auf Ratsdok. 8404/20 (Überweisungsdrucksache 19/22367 A.68) wolle der Deutsche Bundestag folgende Entschließung annehmen:

„Der Deutsche Bundestag wertet den EU-Jahresbericht des Jahres 2019 über Menschenrechte und Demokratie in der Welt als einen umfassenden Überblick über die vielfältigen internen und externen Aktivitäten der Europäischen Union (EU) im Bereich ihrer Menschenrechtspolitik. Über den Berichtszeitraum hinweg hat die EU weltweit die Umsetzung ihrer Ziele innerhalb der letzten Phase des Aktionsplans für Menschenrechte und Demokratie (2015-2019) vorangetrieben. Die EU setzte sich auch im Jahr 2019, dem zehnten Jahr des Bestehens der Charta der Grundrechte, nachdrücklich für die Förderung und den Schutz der Menschenrechte als Kernstück des Multilateralismus ein. Aufgrund der weltweit zu verzeichnenden erheblichen Rückschritte im Bereich Menschenrechte und Demokratie war dieser Einsatz im Jahr 2019 erneut unverzichtbar.“

Im Dezember 2019 hat sich der Rat für Auswärtige Angelegenheiten auf die Festlegung einer weltweiten Sanktionsregelung der EU im Bereich der Menschenrechte verständigt, mit der weltweit auf schwere Menschenrechtsverletzungen reagiert werden kann, unabhängig davon, ob diese von staatlichen oder nichtstaatlichen Akteuren begangen wurden. Unter deutscher Ratspräsidentschaft wurde der Sanktionsmechanismus im darauf folgenden Jahr beschlossen, der Einzelpersonen und Organisationen treffen kann, die für schwere Menschenrechtsverletzungen wie Völkermord, Verbrechen gegen die Menschlichkeit, Folter, Sklaverei, sexuelle und geschlechtsspezifische Gewalt, Entführungen von Menschen oder Menschenhandel verantwortlich sind. Mit dem Globalen Menschenrechtssanktionsregime (EUGHRSR) ist es nun möglich, den dafür verantwortlichen Personen die Einreise in die EU zu verbieten und ihr Vermögen in der EU einzufrieren. Die EU wird damit in die Lage versetzt, sich konkreter und direkter für die Menschenrechte einzusetzen - einen der Grundwerte der EU und ihrer Außenpolitik.

Die im Berichtszeitraum auf multilateraler Ebene fortgeführten intensiven Bemühung der EU für die universelle Förderung und den Schutz der Menschenrechte in allen Gremien der Vereinten Nationen (VN), insbesondere dem VN-Menschenrechtsrat, erkennt der Deutsche Bundestag ebenso wie die enge Zusammenarbeit mit dem Hohen Kommissar der VN für Menschenrechte (OHCHR), dem Europarat und der Organisation für Sicherheit und Zusammenarbeit in Europa (OSZE) als wichtigen Beitrag an, für die europäischen Werte mit Nachdruck einzutreten und sie weltweit einzufordern. Im Jahr 2019 fanden diese wichtigen Bemühungen in einem immer schwieriger werdenden Kontext statt, der durch zahlreiche weltweit negative Tendenzen in den Bereichen Menschenrechte, Demokratie und Rechtsstaatlichkeit geprägt war.

Zu den EU-Instrumentarien im Bereich Menschenrechte zählen neben den Menschenrechtsleitlinien die Länderstrategien, die Menschenrechtsdialoge sowie das Europäische Instrument für Demokratie und Menschenrechte (EIDHR). Ziel ist es, die Gesamtheit der Instrumente der EU systematisch und koordiniert einzusetzen.

Zu den bestehenden Menschenrechtsleitlinien, die regelmäßig aktualisiert werden und den EU-Akteuren weltweit als praktischer Leitfaden bei der Umsetzung von menschenrechtlichen Prioritäten der EU auf lokaler Ebene dienen, kamen im Be-

richtszeitraum weitere hinzu. Der EU-Jahresbericht 2019 informiert, dass erstmalig EU-Leitlinien mit einem Schwerpunkt auf wirtschaftlichen, sozialen und kulturellen Rechten verabschiedet wurden. Dazu zählen die EU-Menschenrechtsleitlinien für einwandfreies Trinkwasser und Sanitärversorgung. Diese Leitlinien eröffneten neue Perspektiven dafür, der Untrennbarkeit bürgerlicher, politischer, wirtschaftlicher, sozialer und kultureller Rechte Geltung zu verschaffen. Leitlinien über Nichtdiskriminierung im auswärtigen Handeln wurden verabschiedet sowie die Leitlinien für die Politik der Europäischen Union gegenüber Drittländern betreffend Folter und andere grausame, unmenschliche oder erniedrigende Behandlung oder Bestrafung überarbeitet.

Den 128 Länderstrategien, die im Zeitraum 2016 bis 2020 umgesetzt wurden, misst der Deutsche Bundestag hohe Bedeutung bei, da auf der Grundlage von politischer und operativer Analyse der Menschenrechtslage in einem Land wichtige strategische Prioritäten für das Vorgehen der EU gesetzt sowie konkrete Maßnahmen festgelegt werden, um Demokratie und Menschenrechte zu fördern. Rechtsstaatlichkeit ist die am häufigsten genannte Priorität, gefolgt von Frauenrechten und Demokratie.

Die EU führte im Berichtszeitraum 2019 bereits mit 39 Partnerländern und regionalen Organisationen formelle Menschenrechtsdialoge und -konsultationen, um Menschenrechtsverletzungen sowie spezifische Themen anzusprechen und auf Verbesserungen hinzuwirken. Informelle Menschenrechtsdialoge mit den Golfstaaten wurden zu den wichtigen Themen Todesstrafe, Recht auf ein faires Verfahren und das Recht auf Meinungsfreiheit geführt. Nachdrücklich setzte sich die EU in diesen Dialogen für die Abkehr des Kafala-Systems ein, das die Beschäftigung von Wanderarbeitnehmern regelt und den Arbeitgebern in der Vergangenheit eine umfassende Kontrolle über ihre Beschäftigten gewährt hat. Als wesentlichen Erfolg erkennt der Deutsche Bundestag die daraufhin im Jahr 2020 neu erlassenen Gesetze Katars an, die sich positiv auf die Rechte ausländischer Arbeitnehmer im Land auswirken.

Mit dem EIDHR besteht ein einzigartiges Finanzierungsinstrument für die Förderung und Unterstützung der Demokratie und der Menschenrechte weltweit. Auch ohne das Einverständnis der Regierung eines betreffenden Landes kann es zum Einsatz gebracht werden, um die direkte Zusammenarbeit mit isolierten und marginalisierten Organisationen der Zivilgesellschaft zu ermöglichen. Das EIDHR leistet erhebliche Unterstützung für den Multilateralismus und die wichtigsten Institutionen der internationalen Menschenrechtsarchitektur. Der Deutsche Bundestag schätzt das Engagement des EIDHR zur Unterstützung der Demokratie, die sich im Jahr 2019 durch sieben Wahlbeobachtungsmissionen und neun Wahlexpertinnenmissionen konkretisierte. Das EIDHR unterstützte weiterhin unter anderem das OHCHR, den Internationalen Strafgerichtshof (IStGH) sowie regionale Menschenrechtsmechanismen und -instrumente. Zudem förderte es ein globales Netzwerk von Universitäten mit Studiengang Menschenrechtsbildung gefördert.

Im Februar 2019 wurde Eamon Gilmore als Sonderbeauftragter der EU für Menschenrechte ernannt, sein Mandat wurde vor kurzem verlängert. Unter der Leitung des Hohen Vertreters/Vizepräsidenten (HR/VP) verfolgt der EU-Sonderbeauftragte ein breit angelegtes, flexibles Mandat, das eine Anpassung an sich wandelnde geopolitische Umstände ermöglicht. Er folgt auf Stavros Lambrinidis, der das Amt seit 2012 innehatte, und setzt sich für die Umsetzung der Menschenrechtspolitik der Union, die Einhaltung des humanitären Völkerrechts und die Achtung der internationalen Strafgerichtsbarkeit sowie die Umsetzung des Ratsbeschlusses über den IStGH ein, erhöht die politische Kohärenz und verleiht Europa durch den Dialog über die Menschenrechte eine stärkere Stimme. Der Deutsche Bundestag begrüßt ausdrücklich die Hervorhebung der wichtigen Prioritäten

während der unter seinem Vorsitz durchgeführten Menschenrechtsdialoge im Berichtszeitraum. Diese umfassen die Bekämpfung der Folter, die Abschaffung der Todesstrafe, den Schutz der Religions- und Weltanschauungsfreiheit, den Schutz von Menschenrechtsverteidigern, die Förderung der Menschenrechte von Frauen, Mädchen und LGBTI-Personen, die Freiheit der Meinungsäußerung, die Achtung des humanitären Völkerrechts sowie die Rechenschaftspflicht im Fall von Menschenrechtsverletzungen und -verstößen.

Der Deutsche Bundestag bestärkt den EU-Sonderbeauftragten in seinem Engagement, zivilgesellschaftliche Organisationen direkt einzubeziehen. Denn dies ist entscheidend dafür, dass die Dialoge ergebnisorientiert bleiben. Der EU-Sonderbeauftragte arbeitet regelmäßig auch im Vorfeld von Menschenrechtsdialogen mit zivilgesellschaftlichen Organisationen zusammen. Es zählt zu seinen Prioritäten, die Rolle der Zivilgesellschaft zu schützen, in den Dialog mit lokalen und regionalen Menschenrechtsakteuren zu treten und sie zur Weiterführung ihrer Arbeit zu befähigen.

Mit weiterhin großer Sorge nimmt der Deutsche Bundestag zur Kenntnis, dass auch im Berichtszeitraum immer mehr Staaten ihre Zivilgesellschaften, insbesondere ihre Nichtregierungsorganisationen und Menschenrechtsverteidiger, in ihren Wirkungsmöglichkeiten u.a. durch restriktiver werdende Gesetzgebung beschränken. Die Mitglieder des Deutschen Bundestages begrüßen daher ausdrücklich die im Jahr 2019 erfolgte kompromisslose Unterstützung von Menschenrechtsverteidigern durch die EU. Sie übte scharfe Kritik an Einschränkungen des Handlungsspielraums der Zivilgesellschaft und unterstützte Menschenrechtsverteidiger, vor allem wenn sie gefährdet waren, mit politischen und finanziellen Maßnahmen.

Im Jahr 2019 brachte die EU im Rahmen politischer Dialoge mit Partnerländern, darunter mehr als 20 Menschenrechtsdialoge und -konsultationen, wiederholt ihre Besorgnis über Verletzungen der Religions- und Weltanschauungsfreiheit zum Ausdruck, insbesondere gegenüber Ländern des Nahen Ostens, Nordafrikas sowie Süd-, Zentral- und Südostasiens. In multilateralen Gremien trat die EU weiterhin als starke Verfechterin dieses Menschenrechts auf. Auf ihre Initiative hin wurden im VN-Menschenrechtsrat sowie im Dritten Ausschuss der VN-Generalversammlung Resolutionen eingebbracht, die Staaten auffordern, die Religions- und Weltanschauungsfreiheit zu schützen, zu achten und zu verwirklichen und die Besorgnis der EU über Verletzungen der Religionsfreiheit zum Ausdruck bringen. Der Deutsche Bundestag nimmt positiv und mit großem Interesse das breite Engagement der EU für Religions- und Weltanschauungsfreiheit auf, das auch 2019 eine wesentliche Priorität der auswärtigen Menschenrechtspolitik der EU darstellte, die den Leitlinien der EU zur Förderung und zum Schutz der Religions- und Weltanschauungsfreiheit folgt. Vor diesem Hintergrund nimmt der Deutsche Bundestag die bislang noch nicht erfolgte Nachbesetzung eines Sondergesandten für die Förderung von Religions- und Weltanschauungsfreiheit außerhalb der EU nach dem Ausscheiden Ján Figels im Jahr 2019 aus dem Amt mit Befremden zur Kenntnis. Der Sonderbeauftragte richtete im letzten Jahr seiner Amtszeit sein Bemühen mit Erfolg u.a. auf Initiativen im Bereich des interreligiösen Dialogs und der Schaffung von Synergien zwischen der Religions- und Weltanschauungsfreiheit und bildungspolitischen und kulturellen Aktivitäten.

Die EU setzte ihr menschenrechtliches Engagement für die Abschaffung der Todesstrafe, gegen Folter und Misshandlungen, für Gleichstellung und Nichtdiskriminierung, wirtschaftliche, soziale und kulturelle Rechte und ebenfalls im Bereich Wirtschaft und Menschenrechte auch im Jahr 2019 fort.

Der Deutsche Bundestag begrüßt den Aufruf der EU an die Staaten und alle Unternehmen, die Leitprinzipien der VN für Wirtschaft und Menschenrechte und deren drei Säulen „Verpflichtung des Staates zum Schutz“, „Unternehmensverantwortung zum Respekt“ und „Zugang zu Rechtsmitteln“ umzusetzen und einzuhalten. Bei der Ausarbeitung nationaler Aktionspläne zur Umsetzung der Leitprinzipien sind die Mitgliedsstaaten der EU weiterhin weltweit führend. Der Deutsche Bundestag bestärkt die EU darin, auch auf EU-Ebene einen umfassenden Handlungsrahmen für die kohärente Umsetzung der VN-Leitzprinzipien zu erarbeiten und die unternehmerische Sorgfaltspflicht europaweit verbindlich zu regeln.

Über diese Themen hinaus setzte die EU ihr Engagement aufgrund der immer neuen Entstehung und Ausbreitung von Konflikten weltweit für die Einbeziehung der Menschenrechte bei Konfliktprävention, Krisenmanagement und Unrechtsaufarbeitung fort. Die Beteiligung der EU an den weltweiten Anstrengungen zur Beendigung der Straflosigkeit auch im Jahr 2019 würdigt der Deutsche Bundestag als wichtigen Beitrag um sicherzustellen, dass die Täter der schwersten Verbrechen nach dem Völkerrecht für ihre Taten zur Rechenschaft gezogen werden und die Opfer von Völkermord, Kriegsverbrechen und Verbrechen gegen die Menschlichkeit Gerechtigkeit erfahren. Die EU setzte die Zusammenarbeit mit dem IStGH fort, unterstützte seine Arbeit und setzte sich weiterhin für die weltweite Ratifizierung und Umsetzung des Römischen Statuts ein. Umso mehr bedauert der Deutsche Bundestag, dass die drei ständigen Mitgliedsstaaten des VN-Sicherheitsrates USA, Russland und China dem Römischen Statut bislang noch immer nicht beigetreten sind.

Der Deutsche Bundestag erkennt das Engagement der EU im 70. Jahr des Bestehens der Genfer Konventionen für die Einhaltung des humanitären Völkerrechts sowie ihr nachdrückliches Eintreten für den Schutz der Zivilbevölkerung in bewaffneten Konflikten. Der Deutsche Bundestag ist allerdings besorgt darüber, dass es der EU nicht gelingt, alle Mitgliedsländer auf die Einhaltung der Genfer Flüchtlingskonvention zu verpflichten. Berichte über illegale Pushbacks nimmt der Deutsche Bundestag sehr ernst.

Die EU förderte und unterstützte die Arbeit des Internationalen Komitees des Roten Kreuzes (IKRK), einen der vertrauenswürdigsten Partner der EU und einer der wichtigsten Partner für den Erhalt der Achtung des humanitären Völkerrechts und der humanitären Grundsätze. 2019 erhielt das IKRK 124,8 Mio. EUR aus dem EU-Haushalt für humanitäre Hilfe.

Konflikte, Gewalt, Armut und fehlende sozioökonomische Perspektiven, Umweltzerstörung, Klimawandel sowie Naturkatastrophen und von Menschen verursachte Katastrophen haben im Berichtszeitraum Menschen zur Flucht aus ihrer Heimat veranlasst. Ende 2019 lag die Gesamtzahl der Flüchtlinge bei 79,5 Millionen weltweit. Der Deutsche Bundestag nimmt zur Kenntnis und bestärkt die EU in ihrem Bemühen, sich für den Schutz von Flüchtlingen, über Landesgrenzen hinweg Vertriebenen und Binnenvertriebenen gemeinsam mit internationalen Partnern und Organisationen der Zivilgesellschaft einzusetzen. Die Herausforderungen, die sich in diesem Zusammenhang auch mit der Schleusung von Migranten und mit dem Menschenhandel im Hinblick auf die Menschenrechte stellen, waren auch im Berichtszeitraum erneut erheblich. Der Deutsche Bundestag würdigt deshalb die unternommenen Anstrengungen der EU, Fluchtursachen zu minimieren sowie die im Rahmen humanitärer Hilfe geleistete dringend benötigte Unterstützung. Diese erreichte Menschen in lang anhaltenden Konflikten, wie in

Afghanistan und Syrien sowie in Kolumbien und am Horn von Afrika. Im Berichtszeitraum wurde die EU auch in neuen Krisen, wie der Vertreibungskrise aus Venezuela, tätig.

Gleichzeitig bedauert der Deutsche Bundestag, dass es bislang trotz der Vorschläge für eine Neuausrichtung der europäischen Migrations- und Asylpolitik der Europäischen Kommission auch im Jahr 2020 nicht gelungen ist, eine Einigung herbeizuführen.

Mit Besorgnis nimmt der Deutsche Bundestag die Berichte über die Beteiligung der EU-Grenzschutzagentur Frontex an Menschenrechtsverletzungen und illegalen Pushbacks zur Kenntnis. Das in Frontex gesetzte Vertrauen ist gefährdet. Um die Bewertung menschenrechtlich bedenklicher Vorfälle zu ermöglichen, muss Frontex ein wirksames internes Grundrechtemonitoring durchführen. Dazu muss die Grundrechtebeauftragte besser ausgestattet werden, u.a. indem die bereits bewilligten Stellen unverzüglich besetzt werden. Ihre unabhängige Arbeit muss garantiert sein.

Die Achtung und der Schutz der Menschenrechte müssen immer wieder aufs Neue eingefordert werden. Diese Aufgabe gewinnt in der Politik und bei den Bürgern der Europäischen Union ein immer größeres Gewicht. Der Deutsche Bundestag fordert die EU auf, das Amt des Sonderbeauftragten für Religions- und Weltanschauungsfreiheit zeitnah neu zu besetzen, im Bemühen um eine Einigung auf eine gemeinsame Migrations- und Asylpolitik nicht nachzulassen sowie die Menschenrechtslage aller Beitrittskandidaten und potentieller Beitrittskandidaten weiterhin mit größter Aufmerksamkeit zu beobachten, konsequent zu berücksichtigen und mit Nachdruck auf die Einhaltung der Menschenrechte zu drängen.“

Berlin, den 24. Februar 2021

**Der Ausschuss für Menschenrechte und humanitäre Hilfe****Gyde Jensen**

Vorsitzende und Berichterstatterin

**Norbert Maria Altenkamp**  
Berichterstatter

**Frank Schwabe**  
Berichterstatter

**Jürgen Braun**  
Berichterstatter

**Zaklin Nastic**  
Berichterstatterin

**Margarete Bause**  
Berichterstatterin

**Bericht der Abgeordneten Norbert Maria Altenkamp, Frank Schwabe, Jürgen Braun, Gyde Jensen, Zaklin Nastic und Margarete Bause****I. Überweisung**

Die Unterrichtung auf Ratsdok. 8404/20 wurde mit Überweisungsdrucksache **19/22367 A.68** am 14. September 2020 an den Ausschuss für Menschenrechte und humanitäre Hilfe zur federführenden Beratung sowie zur Mitberatung an den Auswärtigen Ausschuss, den Ausschuss für Inneres und Heimat, den Ausschuss für Recht und Verbraucherschutz, den Ausschuss wirtschaftliche Zusammenarbeit und Entwicklung sowie an den Ausschuss für die Angelegenheiten der Europäischen Union überwiesen.

**II. Wesentlicher Inhalt der Vorlage**

Der EU-Jahresbericht 2019 bietet einen zusammenfassenden Überblick über das weltweite Engagement der EU für Menschenrechte und markiert die letzte Phase der Umsetzung des EU-Aktionsplans für Menschenrechte und Demokratie für den Zeitraum 2015 bis 2019, auf den der Aktionsplan für die Jahre 2020 bis 2024 folgt. Der Jahresbericht konzentriert sich anhand länderspezifischer Beispiele auf Themen wie zivilgesellschaftliche Akteure, Menschenrechtsverteidigerinnen und -verteidiger, Meinungs- und Pressefreiheit, Glaubens- und Bekenntnisfreiheit. Er stellt zudem die Arbeit der EU auf multilateraler Ebene sowie in den Organen der Vereinten Nationen dar und informiert über den Menschenrechtsansatz der EU für Konflikt- und Krisensituationen. Außerdem werden EU-eigene Instrumente vorgestellt. Dazu gehören die im Jahr 2019 erstmals verabschiedete Leitlinien zu wirtschaftlichen, sozialen und kulturellen Rechten: die EU-Menschenrechtsrichtlinien zu sauberem Trinkwasser und sanitären Einrichtungen.

**III. Stellungnahme/n des/der mitberatenden Ausschüsse**

Der **Auswärtige Ausschuss** hat in seiner 71. Sitzung am 13. Januar 2021 einvernehmlich beschlossen zu empfehlen, den Entwurf des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr 2019 auf Ratsdok.8404/20 zur Kenntnis zu nehmen.

Der **Ausschuss für Inneres und Heimat** hat in seiner 123. Sitzung am 24. Februar 2021 einvernehmlich beschlossen zu empfehlen, den Entwurf des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr 2019 auf Ratsdok. 8404/20 zur Kenntnis zu nehmen.

Der **Ausschuss für Recht und Verbraucherschutz** hat in seiner 131. Sitzung am 24. Februar 2021 einvernehmlich beschlossen zu empfehlen, den Entwurf des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr 2019 auf Ratsdok. 8404/20 zur Kenntnis zu nehmen.

Der **Ausschuss für wirtschaftliche Zusammenarbeit und Entwicklung** hat in seiner 63. Sitzung am 4. November 2020 einvernehmlich beschlossen zu empfehlen, den Entwurf des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr 2019 auf Ratsdok. 8404/20 zur Kenntnis zu nehmen.

Der **Ausschuss für die Angelegenheiten der Europäischen Union** hat in seiner 85. Sitzung am 24. Februar 2021 einvernehmlich beschlossen zu empfehlen, den Entwurf des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr 2019 auf Ratsdok. 8404/20 zur Kenntnis zu nehmen.

**IV. Beratungsverlauf und Beratungsergebnisse im federführenden Ausschuss**

Der **Ausschuss für Menschenrechte und humanitäre Hilfe** hat in seiner 72. Sitzung am 24. Februar 2021 die Beratungen über den Entwurf des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr

2019 auf Ratsdok. 8404/20 aufgenommen und abgeschlossen. Der Ausschuss hat einvernehmlich beschlossen zu empfehlen, den Entwurf des EU-Jahresberichts über Menschenrechte und Demokratie in der Welt im Jahr 2019 auf Ratsdok. 8404/20 (Überweisungsdrucksache 19/22367 A.68) zur Kenntnis zu nehmen. Außerdem hat der Ausschuss mit den Stimmen der Fraktionen der CDU/CSU und SPD gegen die Stimmen der Fraktionen DIE LINKE. und BÜNDNIS 90/DIE GRÜNEN bei Stimmenthaltung der Fraktionen der AfD und FDP beschlossen zu empfehlen, den Entschließungsantrag der Fraktionen der CDU/CSU und SPD auf Ausschussdrucksache 19(17)130 anzunehmen.

Berlin, den 24. Februar 2021

**Norbert Maria Altenkamp**  
Berichterstatter

**Frank Schwabe**  
Berichterstatter

**Jürgen Braun**  
Berichterstatter

**Gyde Jensen**  
Berichterstatterin

**Zaklin Nastic**  
Berichterstatterin

**Margarete Bause**  
Berichterstatterin



Brussels, 9 June 2020  
(OR. en)

**8404/20**

**LIMITE**

**COHOM 38  
COPS 166  
CFSP/PESC 430  
DEVGEN 66  
FREMP 35  
INF 113  
JAI 418  
RELEX 383  
CSDP/PSDC 259  
COJUR 3**

**NOTE**

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From: General Secretariat of the Council  
To: Delegations  
Subject: Draft EU Annual Report on Human Rights and Democracy in the World  
2019

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Delegations will find attached draft EU Annual Report on Human Rights and Democracy in the World 2019.

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**Draft EU Annual Report on Human Rights and Democracy in the World 2019**

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## 1. INTRODUCTION

The 2019 EU annual report on human rights and democracy in the world marks the final phase of implementation of the EU Action Plan on Human Rights and Democracy (2015-2019)<sup>1</sup>. It presents the progress achieved to date, by means of a comprehensive set of actions taken by the European External Action Service (EEAS), the European Commission and EU delegations and offices around the world. In 2019, the EU demonstrated once again that it is a reliable, cooperative and principled global player, working for a better world where all human rights are fully protected and respected.

However, in many parts of the world, challenges remain. Human rights defenders (HRDs), journalists and media workers are under threat and attack because of their daily work, civic and democratic space continues to be restricted, women's and girls' human rights are being violated, and vulnerable groups are often left behind and exposed to further discrimination and inequality.

Against this background, the international community celebrated in 2019 the 10<sup>th</sup> anniversary of the Charter of Fundamental Rights, the 30<sup>th</sup> anniversary of the UN Convention on the Rights of the Child, the 70<sup>th</sup> anniversary of the Council of Europe and the 100<sup>th</sup> anniversary of the International Labour Organisation. These anniversaries gave great impetus to the EU's continuous efforts to translate its legal and policy frameworks on human rights into reality. The EU worked with all partners to turn challenges into opportunities for all human beings, at any time, in any place.

The 21<sup>st</sup> EU-NGO Forum on Human Rights, held in Brussels on 3-4 December, put the human rights and environment nexus in the spotlight as an emerging challenge and gained unprecedented traction. On 9 December 2019, the Foreign Affairs Council agreed on the political appropriateness of establishing an EU global human rights sanctions regime to tackle serious human rights violations worldwide committed by state and non-state actors.

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<sup>1</sup> [Council conclusions on the Action Plan on Human Rights and Democracy 2015 – 2019, 10897/15, 20 July 2015](#)

In 2019, the first ever EU guidelines focusing on economic, social and cultural rights were adopted: the EU Human Rights Guidelines on safe drinking water and sanitation. These guidelines opened new horizons in promoting the indivisibility of civil, political, economic, social and cultural rights. The Council also adopted Guidelines on non-discrimination in external action and revised Guidelines on EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment. Moreover, the Council conclusions on Democracy adopted in October provided a comprehensive framework to advance democratic governance.

This report focuses on thematic issues, using a number of country-specific examples, and aims to be a practical tool for all stakeholders. Reporting on human rights and democracy at country level can be found on the EEAS<sup>2</sup> and EU delegations' webpages.

## 2. EU SPECIAL REPRESENTATIVE FOR HUMAN RIGHTS

The EUSR for Human Rights, Mr Eamon Gilmore, was appointed by Council Decision on 28 February 2019. Under the authority of the High Representative/Vice President (HR/VP), the EUSR is pursuing a broad, flexible mandate, which allows for adaptation to evolving geopolitical circumstances. He is working towards the implementation of the Union's policy on human rights, promoting compliance with international humanitarian law and international criminal justice, and the implementation of the Council Decision on the International Criminal Court (ICC), increasing policy coherence and establishing a stronger European voice through dialogue on human rights.

The EUSR has engaged in an extensive programme since taking up his post in March 2019. This has included bilateral visits, active participation in EU human rights dialogues with third countries and dedicated engagement with human rights consultations within international and multilateral fora. Active engagement is central to advancing the EU's human rights policy, and the EUSR is in a position to promote EU policy at the highest level in challenging regions and play a significant role in efforts to consolidate peace, stability and the rule of law.

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<sup>2</sup> EEAS webpage: [https://eeas.europa.eu/topics/human-rights-democracy/8437/eu-annual-reports-human-rights-and-democratisation\\_en](https://eeas.europa.eu/topics/human-rights-democracy/8437/eu-annual-reports-human-rights-and-democratisation_en)

Dedication to multilateralism is a key component of the EU's commitment to human rights. Just after taking up office, EUSR Gilmore travelled to New York for a series of high-level meetings with the EU Heads of Mission and UN representatives. The EUSR has continued to engage multilaterally throughout the year, including by holding meetings at the Council of Europe in Strasbourg and representing the HR/VP at the CoE Ministerial in Helsinki. In June, the EUSR visited Geneva during the 41<sup>st</sup> session of the United Nations Human Rights Council (HRC), where he had lengthy and fruitful discussions with the UN High Commissioner for Human Rights (HCHR) and the International Committee of the Red Cross (ICRC). He highlighted the current global human rights challenges and underlined the importance of EU leadership on the human rights agenda.

The EUSR is committed to building upon the Good Human Rights Stories Initiative<sup>3</sup>, inaugurated in 2018 at the UN General Assembly (UNGA) by HR/VP Mogherini, UN Secretary-General (UNSG) Guterres and UN HCHR Bachelet in collaboration with a cross-regional coalition of 14 UN member countries. The initiative aims to showcase positive practices around the world by highlighting effective human rights-based policies in different countries, including those which are not usually seen as being at the forefront of human rights. This helps to build alliances and to promote a positive narrative and positive change, with the aim of having an impact both in the surrounding regions and globally. In 2019, this impetus was underpinned by the Good Human Rights Stories Initiative event at the 74<sup>th</sup> UNGA in September. The theme was 'building quality lives through economic, social and cultural rights', which allowed member countries to present more 'good stories'. These stories outlined a rich and inspiring picture of progress in areas such as the empowerment of women and girls, universal health coverage, victims' rights, rights to culture and rights to parental leave. Colombia joined the Initiative this year, bringing the total number of countries to 15, in addition to the EU.

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<sup>3</sup> Good Human Rights Stories Initiative [https://eeas.europa.eu/headquarters/headquarters-homepage/51241/good-human-rights-stories-coalition-launched\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/51241/good-human-rights-stories-coalition-launched_en)

The EUSR's mandate also focuses on international humanitarian law, international criminal justice and the implementation of the Council Decision on the ICC. The EUSR's visit to The Hague in September was an opportunity to engage with the ICC and other international organisations focusing on issues related to international humanitarian law and international criminal justice, as well as to gain a deeper appreciation of how the EUSR can work with such actors to fulfil his mandate.

The EUSR has further strengthened the EU's presence and engagement through extensive bilateral visits. During his mandate, the EUSR is focusing mostly on countries that are strategic EU partners, neighbourhood countries, countries with significant influence in multilateral human rights fora, and/or countries in transition. In May, the EUSR visited Ethiopia and Eritrea, where challenges to human rights continue to exist, although progress is slowly but surely being made. The visit to Asmara was the first EU high-level visit on human rights issues to Eritrea. This was a significant achievement and a step forward in renewed EU-Eritrea relations. The EUSR will continue to focus on other countries, as alarming or deteriorating human rights situations may require immediate and active EU engagement. In June, the EUSR visited Bangladesh and Myanmar/Burma, where he was able to send strong messages to the highest level. The precarious situation on the ground and extremely difficult conditions in Cox's Bazar, which is now the largest refugee camp in the world, highlighted the scale of the Rohingya crisis.

The EUSR also engaged in an extensive bilateral agenda during his visit to Washington in July. He met with senior US officials, political figures, civil society representatives and other stakeholders to exchange views on EU human rights priorities both in multilateral human rights fora and in bilateral external relations. The EUSR delivered a strong message to US dialogue partners and underlined the need to advance a common EU-US human rights agenda. A significant result of the efforts made on both sides was the resumption of the EU-US consultations on human rights in December.

In October, the EUSR conducted a bilateral visit to The Gambia (in conjunction with the EU-African Union human rights dialogue, which took place in Banjul). This included meetings with the President, ministers and other stakeholders. After 22 years of dictatorship, the country is undergoing a democratic transition and wishes to establish itself as ‘the human rights capital of the world’. A constitutional reform process is underway, based on inclusive consultations and open communication. The Gambia has the potential to be a model for the region and the continent. The EU’s support for the democratic transition has been crucial and must be maintained.

The EUSR has continued to highlight EU priorities by chairing numerous human rights dialogues, including with Myanmar/Burma, Colombia, Brazil, Cuba, the African Union (AU) and South Africa, and by opening dialogues with China, Belarus and the Association of Southeast Asian Nations (ASEAN). Through these dialogues, the EU takes part in a mutual exchange that encourages open discussion of human rights issues. This platform gives the EUSR an opportunity to raise the EU’s key priorities including the fight against torture, the abolition of the death penalty, freedom of religion or belief, the protection of human rights defenders, the promotion of women’s and girls’ as well as LGBTI persons’ enjoyment of human rights, freedom of expression, the respect of international humanitarian law and accountability for human rights violations and abuses.

Direct involvement of civil society organisations (CSOs) is central to ensuring that the dialogues remain focused on results. The EUSR engages regularly with CSOs, including ahead of human rights dialogues. Protecting the role of civil society, learning from local and regional human rights actors and empowering them to continue their work is a priority for the EUSR. In this context, in October the EUSR participated in the Fifth Dublin Platform for Human Rights Defenders, organised by Front Line Defenders.

Throughout the year, the EUSR continued to raise the EU's profile by representing the EU and the HR/VP at the first Global Conference on Media Freedom in the UK, and visiting Washington to represent the EU at the second US Ministerial to Advance Religious Freedom. He ensured that the EU remains at the forefront of the promotion of respect, protection and fulfilment of human rights worldwide through active and dedicated participation in panel discussions, academic interactions and international conferences focusing on key emerging human rights concerns, such as economic, social and cultural rights, business and human rights, human rights and multilateralism, and human rights and new technologies, including artificial intelligence (AI).

Looking ahead, the EUSR will continue to build on the work already done, including through upcoming planned visits and consultations with, *inter alia*, Ukraine, Belarus, Iran, Cuba and Brazil. The EUSR will also support the EEAS and other EU institutions in promoting and implementing the EU human rights guidelines and the new Action Plan on Human Rights and Democracy 2020-2024.

### **3. EU WORK AT MULTILATERAL LEVEL**

In 2019, the EU remained a leader in the universal promotion and protection of human rights at multilateral level and continued to support human rights, democracy, the rule of law and gender equality in all relevant fora, including the UN Human Rights Council and at the Third Committee of the UN General Assembly (UNGA). It also supported the activities of the Office of the High Commissioner for Human Rights (OHCHR), the Council of Europe, the Organisation for Security and Cooperation in Europe, specialised UN agencies, and other organisations within the UN system such as the International Labour Organisation.

## The EU in United Nations human rights fora

The EU supports the work of the UN human rights system in addressing human rights violations and abuses, including through country-specific statements and resolutions, commissions of inquiry, fact-finding missions and special procedures, and the Universal Periodic Review (UPR). The EU actively supports all those who act against human rights violations and abuses. In 2019, together with the EU Member States and like-minded partners worldwide, the EU continued to spearhead thematic and country-specific initiatives in the UN human rights fora. The EU championed cross-regional cooperation in multilateral human rights fora to ensure strong results in an increasingly difficult context characterised by challenges to multilateral institutions and many negative trends around the world in the domains of human rights, democracy and the rule of law.

## 74<sup>th</sup> Session of the UN General Assembly (UNGA), Third Committee

The 74<sup>th</sup> session of the Third Committee of the UNGA<sup>4</sup> in October and November 2019 was very successful in terms of the EU's priorities. All 62 resolutions on its agenda for the year – which included EU priority resolutions such as two country-specific resolutions on the human rights situation in the Democratic People's Republic of Korea (DPRK) and in Myanmar/Burma, and two thematic resolutions on the rights of the child and on freedom of religion or belief – were adopted, and over 76 interactive dialogues with UN mandate holders and senior officials were held. The EU also supported important initiatives presented by others, such as the resolution on human rights in Syria. The consensual adoption of an ambitious text on the rights of the child resolution, led by the EU and the Group of Latin American and Caribbean States (GRULAC) with 107 countries cosponsoring, just two days before the UN commemoration of the 30<sup>th</sup> anniversary of the Convention of the Rights of the Child was one of the main achievements of this session. The Third Committee agreed to start adopting every two years the resolution on the rights of the child. However, the UNSG will report at the 75<sup>th</sup> UNGA session on the implementation of the Convention on the Rights of the Child. The UNGA Third Committee also adopted a Resolution on Improving the Coordination Efforts against Trafficking in Human Beings, with a reference for the first time to the mandate of the EU Anti-trafficking Coordinator. The resolution reiterates the EU's long-standing objectives and priorities and the importance of prevention and explicitly encourages national authorities to end impunity for the perpetrators.

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<sup>4</sup> All resolutions adopted can be found on the [UN webpage](https://www.un.org/en/ga/74/resolutions.shtml).  
<https://www.un.org/en/ga/74/resolutions.shtml>

The resolution on freedom of religion or belief, a rollover from last year's resolution, was adopted without a vote again, with 74 countries co-sponsoring the text. The adoption of a joint resolution with the Organisation of Islamic Cooperation (OIC) on human rights in Myanmar/Burma marks a continuation of cooperation with the OIC, which began at the HRC in September and at the previous UNGA. The resolution on the human rights situation in the DPRK was tabled by the EU alone this year, following the pattern from the March HRC session where Japan dropped out as co-penholder. The resolution was adopted without a vote again, with co-sponsorship remaining at the same level as in 2018 (61 countries). Regarding the resolution on human rights in Syria, most of the EU's proposals were included in the text, particularly as regards new developments in the north-east and north-west of the country, the Constitutional Committee, the International, Impartial and Independent Mechanism (IIIM), the Commission of Inquiry, humanitarian access and the use of chemical weapons. The EU joined the core group on the resolution on the situation of human rights in Crimea and the city of Sevastopol. The EU maintained unanimity in expressing opposition to Russian-tabled resolution on Combating glorification of Nazism.

During this session, EU- and EU Member States-led initiatives (14 in total) performed well, all adopted without a vote or with comfortable voting tallies. The EU participated in most of the 60 interactive dialogues with UN special procedures and senior officials, and delivered nine general statements under the various agenda items. EU Member States worked closely with the EU delegation to the UN in New York in support of EU positions, including through burden-sharing on resolutions and statements.

## **United Nations Human Rights Council Sessions in 2019**

In 2019, the EU continued to play a leading role in the HRC by advancing thematic priorities and addressing country situations of concern through EU-led resolutions and statements, and by working cross-regionally and supporting action taken by others. Throughout 2019, the EU reiterated its long-standing position that all human rights are universal, indivisible, interdependent and interrelated. All resolutions adopted can be found on the UN webpage<sup>5</sup> and the EU's statements are available on the EEAS website<sup>6</sup>.

At the 40<sup>th</sup> session in March 2019, the EU was very active and made a strong mark by presenting five resolutions. The resolution on the human rights situation in the DPRK, led by the EU and adopted by consensus, recalled the dire human rights situation in the country and extended the mandate of the Special Rapporteur. The EU-led resolution on the human rights situation in Myanmar/Burma, which aimed to renew the mandate of the Special Rapporteur, received strong cross-regional support. The EU also co-sponsored the resolution on cooperation with Georgia. On the thematic side, the EU also presented a resolution on the rights of the child, focusing on empowering children with disabilities to ensure their full enjoyment of their human rights, including through inclusive education. The EU, together with partners from all over the world, continued to build on its initiative on the freedom of religion or belief.

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<sup>5</sup> 40<sup>th</sup> session of the Human Rights Council

<https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session40/Pages/ResDecStat.aspx>

41<sup>st</sup> session of the Human Rights Council

<https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session41/Pages/ResDecStat.aspx>

42<sup>nd</sup> session of the Human Rights Council

<https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session42/Pages/ResDecStat.aspx>

<sup>6</sup> Delegation of the European Union to the UN and other international organisations in Geneva

[https://eeas.europa.eu/delegations/un-geneva\\_en](https://eeas.europa.eu/delegations/un-geneva_en)

At the 41<sup>st</sup> session in June 2019, the EU took a clear stance on issues of gender equality, calling for the full enjoyment of all human rights by women and girls and their empowerment. The EU actively participated in the negotiations on all gender-related resolutions presented during the session, including on violence against women, discrimination against women and the resolution by the African Group on female genital mutilation (FGM). The renewal of the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity was an EU priority and was adopted by a vote. The EU-led resolution on the human rights situation in Belarus, which expressed continued concern at the situation of human rights and fundamental freedoms in the country and renewed the mandate of the Special Rapporteur, was adopted with more votes in favour than in previous years.

The 42<sup>nd</sup> session in September 2019 reflected the EU's active and continuous efforts to seek new partnerships and work across regions to protect human rights. The resolution on Myanmar/Burma, led by the EU and the OIC, was voted for by an overwhelming majority. The resolution focused on accountability and ensuring continued political attention to the situation in Myanmar/Burma. The EU also presented a resolution on Burundi, in light of the continuing grave human rights situation, which renewed the mandate of the Commission of Inquiry (CoI), allowing it to intensify its investigations. The EU committed to keep the situations in Yemen, Syria, and Venezuela under the scrutiny of the HRC and supported the HRC's resolute actions on human rights violations in these countries.

## The EU in the Organisation for Security and Cooperation in Europe

The EU continued to engage in dialogue and cooperation within the ‘human dimension’ of the comprehensive security concept of the Organisation for Security and Cooperation in Europe (OSCE).

The EU actively participated in all human dimension events, namely the Human Dimension Implementation Meeting (HDIM) in Warsaw, 16-27 September 2019, the three Supplementary Human Dimension Meetings, and all the meetings of the Human Dimension Committee. During the HDIM, the EU spoke at all sessions, participated in side events (co-sponsoring one on torture prevention) and held bilateral meetings with civil society representatives. The EU actively called for the open and broad participation of CSOs in OSCE events.

In the OSCE Permanent Council, the EU addressed several issues, including marking World Press Freedom Day, the International Day against the Death Penalty, the International Day for the Elimination of Violence against Women, and Human Rights Day. It also raised individual human rights cases and developments, in particular from Russia, Turkey and Azerbaijan. The EU was also one of the drivers of the joint statement marking the International Day in Support of Victims of Torture.

The Ministerial Council concluded with no decision or declaration in the human dimension, due to a lack of consensus. The EU actively engaged in the negotiations with the aim of adopting a decision on torture prevention or on the freedom of peaceful assembly.

The EU continued to fully support the valuable work of the OSCE’s autonomous institutions (the Office for Democratic Institutions and Human Rights – ODIHR, the Representative on Freedom of the Media and the High Commissioner on National Minorities).

As regards election observation, the EU and the OSCE share common goals, standards and a similar methodology. Their ongoing efforts to strengthen the methodology for observing the use of new technologies in the electoral process and to follow up on recommendations from election observation missions (EOM) are examples of cooperation to support democracy and promote human rights. In 2019, the EU supported the work carried out by the ODIHR to assist the OSCE participating states, for instance by funding projects to follow up on elections-related recommendations in the Western Balkans and to build a comprehensive justice system to respond to hate crimes. The EU was also the major donor behind an OSCE-led survey on the well-being and safety of women. The findings of the survey were published in 2019 and the EU actively took part in several events in Vienna, Brussels and Warsaw to raise awareness of these issues.

Following an exchange of letters between the Secretaries-General of the European Commission, the EEAS, and the OSCE, a mid-year meeting took place in June 2019 to take stock of the cooperation.

## The EU in the Council of Europe

On 5 May 2019, the Council of Europe (CoE) celebrated its 70<sup>th</sup> anniversary. Throughout the year, the CoE faced unprecedented challenges and continuous violations of CoE principles. In line with its priorities for cooperation with the CoE in 2018-19<sup>7</sup>, the EU continued to support the CoE in defending and promoting human rights, democracy and the rule of law. The partnership between the EU and the CoE is based on three pillars: high-level political dialogue, legal cooperation and financial support. The EU strongly supports the role of the European Court of Human Rights and the CoE convention system as the principal instruments for defending human rights in Europe. The joint EU-CoE programmes in the EU enlargement region and in the Eastern Partnership and Southern Mediterranean countries continued, in 2019, to provide extensive and substantial expertise on strengthening the capacity of partner countries' institutions to implement domestic reforms and to bring them closer to CoE and EU standards in the fields of human rights, democracy and the rule of law.

The EU continued to foster cooperation with civil society, to mainstream gender equality and women's and girls' empowerment in all areas, to promote effective youth policies, education and training, to accelerate the implementation of the youth, peace and security agenda, and to address migration, with particular attention to the needs of migrants in vulnerable situations: women at risk, children, persons with disabilities, people who are discriminated against on any basis, and victims of violence. The EU called upon countries to ratify and implement the CoE Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known as the 'Lanzarote Convention'.

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<sup>7</sup>

[EU priorities for cooperation with the Council of Europe in 2018-19](#)

In 2019, progress was made in a number of areas of EU-CoE cooperation. On 10 July, the CoE's Committee of Ministers adopted by consensus the decision granting the EU observer status in the Group of States against Corruption (GRECO). EU participation in GRECO as an observer brings real added value, not least by facilitating joint work on capacity building and implementing standards intended to strengthen the rule of law and the fight against corruption. The Commission Communication of July 2019 on further strengthening of the rule of law within the Union<sup>8</sup> underlines the importance of the European Court of Human Rights' case law and the expert opinions of bodies such as the Venice Commission and GRECO.

The EU remained fully committed to its accession to the European Convention on Human Rights (ECHR). Article 6(2) TEU provides for the legal basis and the obligation for the EU to accede to the ECHR. On 7 October 2019, the Justice and Home Affairs Council adopted supplementary EU negotiating directives with a view to resuming the negotiations with the other CoE states on amendments to the draft accession agreement of 2013.

### **The EU in the International Labour Organisation**

In 2019, which marked the 100<sup>th</sup> anniversary of the International Labour Organisation (ILO), the EU was a key actor in the ILO Centenary Labour Conference. On 21 June, the Conference adopted the Violence and Harassment Convention of the ILO (Convention 190), supplemented by a recommendation (Recommendation 206). The Convention sets out the first ever binding, globally applicable standards on eliminating violence and harassment in the world of work. It recognises the right of everyone to a world of work free from violence and harassment, including sexual and gender-based violence and harassment, and states that violence and harassment in the world of work can constitute a human rights violation or abuse. The recommendation provides detailed guidance on preventing and combating violence and harassment and protecting its victims.

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<sup>8</sup> Commission communication on Strengthening the rule of law within the Union - A blueprint for action (COM/2019/343 final): <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM%3A2019%3A343%3AFIN>

The adoption of these new instruments led to a historic moment in the protection of the right to decent work and – due to the prominent role given to sexual and gender-based violence and harassment – emphasised the right of women to live free from violence in the world of work. The EU and its Member States played a critical role, constantly engaging with governments from all regions and with workers' and employers' organisations to build consensus on the instruments.

The Conference also adopted the ILO Centenary Declaration for the Future of Work, which sets out guidelines for a human-centred approach to the changes taking place in the world of work, with a focus on labour and social protection for all, gender equality, lifelong learning and a just transition to an environmentally sustainable future of work. The Conference called for the ratification and implementation of core labour standards and launched a process for the integration of safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work.

Furthermore, the EU and its Member States stood firm in support of the ILO's standard supervisory system. At the Conference, they delivered EU statements on the application of labour standards in 17 countries on issues such as freedom of association and collective bargaining, child labour, forced labour and discrimination. The EU also actively engaged with the ILO Governing Body on such matters, supporting its work to ensure freedom of association by closely following cases of threats and violence against trade unionists.

With the full support of the EU, the ILO has been instrumental in the progress made in 2019 in Qatar, with three key reforms: the removal of the exit visa and the right of workers to change employer freely, which together finalise the abolition of the sponsorship (*kafala*) system, and a non-discriminatory minimum wage.

#### 4. DEMOCRATIC GOVERNANCE

In October 2019, for the first time in a decade, the EU foreign ministers adopted Council conclusions on Democracy<sup>9</sup>. With this political statement, the EU renewed its commitment to a founding value of the Union<sup>10</sup> and to the universality<sup>11</sup> of democracy. These conclusions provide a comprehensive framework to advance democratic governance.

Supporting democracy is a strategic interest of the Union that contributes to the achievement of key objectives of the Common Foreign and Security Policy and is an enabler of the 2030 Agenda, in particular promoting accountable institutions and inclusive and participatory decision-making (Goal 16), reducing inequalities (Goal 10) and reaching gender equality (Goal 5).

Since the Council conclusions on Democracy support<sup>12</sup> of 2009, the global context has profoundly changed. The rules-based international order is under attack, human rights are increasingly under pressure around the globe, and the quality of democracy and the space for civil society are in decline.<sup>13</sup> In the digital age, new opportunities for political participation have emerged, but so have major challenges, including incitement to violence or hatred, disinformation campaigns, as well as violations and abuses of human rights online, such as freedom of expression. Moreover, micro-targeting of political messaging is violating the right to privacy.

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<sup>9</sup> <https://www.consilium.europa.eu/en/press/press-releases/2019/10/14/democracy-eu-adopts-conclusions/>

<sup>10</sup> Article 2 TEU.

<sup>11</sup> Article 21 of the Universal Declaration of Human Rights “the will of the people shall be the basis of the authority of government [...] expressed in periodic and genuine elections”.

<sup>12</sup> Democracy Support in the EU’s External Relations, 2009.

<sup>13</sup> <https://www.idea.int/publications/catalogue/global-state-of-democracy-2019?lang=en>

The new conclusions call for urgent and common responses to these challenges and commit the EU and Member States to a detailed set of practical commitments. These include: longstanding priorities such as promoting participative, accountable and democratic institutions; supporting transparent and credible electoral processes; fostering the rule of law and the independence of justice; and empowering civil society. In addition, they include newer approaches such as: strengthening support to parliaments and political parties; building civic and political space; supporting and protecting independent media; addressing the shrinking democratic space online, as well as challenges to democracy posed by digital technologies; putting greater effort into following up on the recommendations of EU election observation missions; and combating inequality in order to rebuild trust in democracy and democratic institutions. A specific focus is given to human rights defenders, journalists, women and young people in all actions.

Following the adoption of the Council conclusions, the EU participated (with its own panel for the first time) in the World Forum for Democracy organised by the CoE on 6-8 November 2019 in Strasbourg. This panel was an opportunity to raise awareness about the EU's work to support democracy externally and internally and about the complementarity of the EU's and the CoE's work on democracy support.

Cooperation projects in support of democracy in 2019 amounted to EUR 147 million in 37 countries. These projects supported the development of accountable institutions, the organisation of elections, support for national parliaments, and the development of independent and quality media. A European Instrument for Democracy and Human Rights (EIDHR) Global Call for Proposals focused on leveraging digital tools to support democratic participation and awarded three grants to projects from Central Asia, Brazil and Cambodia. These will support media literacy and the fight against hate speech and disinformation. Another EIDHR Global Call was launched for projects promoting accountability, transparency, scrutiny and a review of the implementation of public policies.

Together with civil society organisations, the EU organised the 2019 International Day of Democracy, based on the theme 'No Democracy without Accountability'.

The Parliaments in Partnership Programme, a new EU project to strengthen the capacity of parliaments (INTER PARES)<sup>14</sup>, was launched in July to strengthen the capacity of parliaments through the sharing of expertise between parliaments of EU Member States and parliaments of EU partner countries.

The project Supporting Democracy, which ended in 2019, helped civil society organisations to find innovative tools to promote civic participation. CSOs met together with EU delegations in Malaysia and Lebanon to discuss ways to improve the use of new technologies for active citizenship in closed civic spaces. As a follow up to these meetings, the EU is working to increase its staff's awareness of the opportunities and challenges of new technologies. A round table on the potential effects of AI on democracy support was organised in December 2019.

In addition, in 2019 the EU continued to provide support to elections in the Western Balkans through the OSCE Office for Democratic Institutions and Human Rights. In particular, it supported institutions and civil society in this region in their efforts to follow up on election observation recommendations in areas related to election management, voter registration and the role and work of the media during election campaigns.

In the course of the year, the EU also provided technical support to several countries in the world. For instance, under the Instrument for Pre-accession Assistance (IPA), the EU began assisting Bosnia and Herzegovina's development of a five-year strategy and corresponding action plan to improve the integrity, transparency and efficiency of the election process.

The EU also continued to work with the CoE on issues related to the promotion of democracy. For instance, in Ukraine, a joint project on media freedom aims, *inter alia*, to ensure balanced and professional media coverage of the 2019-2020 elections.

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<sup>14</sup> <https://www.idea.int/news-media/events/launch-conference-inter-pares-parliaments-partnership-eu-global-project-strengthen>

During 2019, the European Endowment for Democracy (EED) continued to be a key EU partner in the enlargement and neighbourhood countries, supporting initiatives in several areas, ranging from election observation and awareness raising of specific issues such as the need to vote and voters' rights, to the training of inexperienced activists on participation in elections. Furthermore, the EED supports media monitoring and social surveys, for example monitoring citizens' attitudes towards elections.

### **Participation of persons belonging to Roma communities in local elections in the Republic of Moldova**

Roma in the Republic of Moldova are significantly under-represented in local and national decision-making. East Europe Foundation (EEF) engaged in a strategic partnership with Tarna Rom (Roma NGO), working jointly to empower Roma to stand as candidates in the local elections. To this end, during 2018-2019, EEF and Tarna Rom trained 100 Roma participants from 48 localities on political leadership, successful public communication and efficient election campaigns. The trainings, along with subsequent dialogue events with political parties, contributed to an increased number of Roma candidates in the candidates' lists.

The election monitoring from the perspective of Roma, conducted by EEF and Tarna Rom for the first time in the Republic of Moldova, revealed 42 Roma persons running for the position of local counsellor, 17 Roma candidates registered for the position of district counsellor, and three Roma persons running for the position of mayor. As a result, 12 Roma communities' representatives were elected as local counsellors. This is a moderate, yet important step towards more inclusive decision-making and a cohesive society in the Republic of Moldova.

In 2019, the European Parliament (EP) continued to support parliaments and parliament-related players via its well-established election observation activities, capacity-building programmes, human rights actions and mediation and dialogue initiatives, and completed its democracy support work under the Comprehensive Democracy Support Approach in the 8<sup>th</sup> parliamentary legislature.

The Western Balkans remained a priority region with strong political support for its democratic institutions, which was highlighted by the high-level roundtable discussing their European perspective. The Jean Monnet Dialogue (JMD) for Peace and Democracy<sup>15</sup> continued with the Assembly of the Republic of North Macedonia during 2019, demonstrating the EU's commitment to the country's accession aspirations. A new Inter-Party Dialogue was established with the Parliament of the Republic of Serbia focused on improving the culture of political dialogue amongst the political parties.

The EP's democracy support work in the European Neighbourhood included various activities with the parliaments of Georgia, Moldova, Ukraine and Morocco. The JMD recommenced with the Verkhovna Rada (Supreme Council) of Ukraine. One highlight of the EP's work on the Youth, Peace and Security (YPS) agenda was the introduction of the EP's flagship Young Political Leaders Programmes in Armenia/Azerbaijan and Israel/Palestine<sup>16</sup> for discussions on common challenges and best practices as young peacebuilders.

At the beginning of the 9<sup>th</sup> legislature, the EP reconfirmed the Comprehensive Democracy Support Approach as a guiding principle for its democracy support work, which is primarily focused on pre-accession assistance and neighbouring countries. A number of new instruments such as Parliamentary Electoral Dialogues and Train the Trainers were endorsed by the EP as an important part of its democracy support in the coming years.

Election observation missions (EOMs) are a highly visible demonstration of the EU's commitment to supporting democracy and promoting respect for human rights and the rule of law across the world. In 2019, the EU deployed eight election observation missions (in El Salvador, Kosovo\*, Malawi, Mozambique, Nigeria, Senegal, Sri Lanka, and Tunisia) and seven election expert missions were deployed in partner countries (in Afghanistan, Bolivia, Guatemala, Guinea-Bissau, Maldives, Mauretania and South Africa).

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<sup>15</sup> <https://www.europarl.europa.eu/globaldemocracysupport/en/mediation-&-dialogue/jean-monnet-dialogues.html>

<sup>16</sup> *This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.*

\* *This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.*

The EU further strengthened its work on the follow-up of the implementation of EOM recommendations, which is a crucial element in the deepening of democracy in partner countries. More election follow-up missions (EFMs) were deployed (in El Salvador, Ghana, The Gambia, Honduras, Myanmar/Burma, Paraguay and Zambia) and systematic efforts were made to better link the work of EU election missions and technical assistance supporting electoral reform. In addition, the EU has developed a public database, which provides access to a central repository of recommendations issued by EU EOMs since 2016.

The EU supported local electoral observers in Benin, Burkina Faso, Chad, Comoros, Georgia, Madagascar, Mauritania, Moldova, Papua New Guinea, Thailand and Ukraine.

### **The European Union Database on Election Missions**

Recommendations can be searched, by year, region/country, type of mission, type of election and type of recommendation. Moreover, the database provides easy access to final reports of EU election missions, preliminary statements and press releases since 2000, and offers information on the status of implementation of recommendations by country. Hence, it is a useful tool for civil society organisations, citizens, and international election observers and EU delegations advocating for the implementation of recommendations as well as for anyone interested in research and analysis on EU EOM recommendations and tracking progress on their implementation.<sup>18</sup>

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<sup>18</sup> The EU election missions database can be accessed at <http://database.eueom.eu>

With the use of social media in electoral processes having grown exponentially across the world, the EU has also adapted its observation methodology. It has developed a specific set of methodological guidelines to enable a more systematic analysis of both online media campaigns and the policy frameworks, to ensure that offline electoral standards also apply online. These new guidelines have been tested by dedicated small teams of analysts during the 2019 EOMs in Nigeria, Tunisia and Sri Lanka. Based on the initial successful outcomes, the methodology will be further fine-tuned and systematically applied to all future EU EOMs. Incorporating the digital dimension of elections into EOMs will allow the EU to support countries across the globe in developing the kind of policy frameworks necessary to handle new challenges to democratic elections through the follow-up to the recommendations.

## 5. ENABLING SPACE FOR CIVIL SOCIETY

During 2019 the EU continued to follow up on the Communication entitled ‘The roots of democracy and sustainable development: Europe’s engagement with civil society in external relations’ as well as the 2017 Council conclusions<sup>19</sup> reaffirming that members of civil society organisations are both actors of governance and development actors in their own right, and are, as such, key partners for the successful implementation of the 2030 Agenda.

The EU (through its network of EU delegations and offices and through interaction with and support for CSOs) regularly addresses threats to civil society and democratic space and seeks to formulate coherent and effective responses to this problem.

Engaging with and empowering civil society remained at the forefront of EU’s action. The EU opposed, through public and private messaging, unjustified restrictions to civil society space, such as restrictive legislation, limits on registration and financing, smear campaigns and any attempts to hinder the work of civil society in a number of countries.

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<sup>19</sup> Council conclusions on EU Engagement with Civil Society in External Relations (19 June 2017) <https://www.consilium.europa.eu/media/24003/st10279en17-conclusions-eu-engagement-with-civil-society-in-external-relations.pdf>

In 2019, the revision of the country roadmaps for the EU's engagement with civil society for 2018-2020 continued. For most, the first priority remained an enabling environment for civil society. A number of the new roadmaps aim to open up spaces for dialogue and, where possible, to influence and counterbalance the trend towards a narrowing operating space for both CSOs and individuals. Roadmaps are also helping to promote human rights and fundamental freedoms, including the protection of human rights defenders, particularly in fragile contexts and where space for CSOs is shrinking.

In line with current practice, consultations throughout the year with civil society and human rights defenders took place in Brussels and in third countries before the launch of calls for proposals for the implementation of the activities and ahead of human rights dialogues. The EU continued to carry out debriefings for civil society following the human rights dialogues. A joint note issued in 2019 by the EEAS and the European Commission entitled 'Seven Tips for Meaningful Engagement of Civil Society Organisations in the Roll-Out of the European Neighbourhood Policy' aimed to help delegations to engage with civil society in the neighbourhood.

Civil society representatives regularly engaged with the Council Working Party on Human Rights (COHOM) and are systematically debriefed on its conclusions. In 2019, a number of targeted events took place in Brussels, such as the 21<sup>st</sup> EU-NGO Forum on building a fair environmental future, the second Majalat Civil Society Forum in December 2019, as well as the European Development Days (EDD) in June 2019.

The Commission has furthermore fostered strategic global and regional dialogue with CSOs through its longstanding Policy Forum on Development (PFD), an opportunity to exchange with CSOs from across the world on the state of civil society and on policy priorities. In 2019, the topic of an enabling environment was on the agenda of both the Third Asia Regional meeting in Nepal on 24-26 September 2019 and the global 2019 PFD meeting in Brussels on 13-15 March 2019.

In addition, in the margins of human rights dialogues with partner countries, CSOs were also invited to participate in civil society seminars financed under the EIDHR, the Service for Foreign Policy Instruments (FPI) and the Civil Society Organisations and Local Authorities (CSO-LA) thematic programme. In 2019, civil society seminars were organised in the margins of the human rights dialogues with Cuba, Indonesia, ASEAN, the AU and Brazil among others. In multilateral fora, the EU intensified its engagement in promoting NGO participation in the work of the HRC, including by defending NGOs' right to speak. Moreover, in 2019, the EU and Member States supported a successful referral to votes at the Economic and Social Council (ECOSOC) in order to overturn repeated deferrals of NGO applications by the UN Committee on Non-Governmental Organisations.

The EU maintained a ban on exports of equipment for internal repression and continued to control the export of certain other goods, which could be used for the manufacture and maintenance of equipment for internal repression of civil society.

Throughout 2019, the EU continued its efforts to safeguard the space for human rights policy in the context of EU political and cooperation agreements and trade policy. It included specific human rights provisions in such agreements and ensured the involvement of civil society organisations in their implementation.

In the candidate and potential candidate countries of the EU, the state of social dialogue and larger socio-economic issues related to the countries' Economic Reform Programmes were discussed with workers' and employers' organisations. Through the Employment and Social Affairs Platform in the Western Balkans, the EU supports with ILO assistance the development of tripartite bodies involving governments, trade unions and employers' associations.

The EU has supported civil society through existing financial instruments and by adapting funding modalities, for example in order to enable organisations in exile to receive funds. Building on past successes in helping human rights defenders under threat, a new generation of emergency funding was activated in 2019.

Civil society organisations are the main recipients of support from the EIDHR and the CSO-LA thematic programme. Through the 25 Framework Partnership Agreements (FPAs) under the CSO-LA programme, CSOs are supported as key contributors to policy-making at regional and global levels. Some of the FPAs (including the International Federation for Human Rights, CIVICUS, Forum Asia) directly promote an enabling environment and address shrinking civic space. Moreover, through the priorities of the CSO-LA programme as well as civil and political rights and governance work under EIDHR, the EU supports the promotion of a conducive environment for CSOs in partner countries.

Learning from the experience of the FPAs under the CSO-LA programme, FPAs were also signed in 2019 in Kosovo, Ukraine, and at regional level for the Eastern Neighbourhood. Thorough these strategic partnerships, the EU will establish long-term cooperation with the selected CSOs and channel support more effectively, with higher impact on the ground. In addition, small and flexible grants through a Rapid Response Mechanism have continued to allow CSOs to react to unexpected changes in the enabling space for civil society across the wider Eastern Neighbourhood region.

Building on its key strength, which is the ability to operate without the need for host government consent, the EIDHR was able to focus on sensitive issues and innovative approaches, and to cooperate directly with isolated or marginalised CSOs. In particular, the exceptional conditions of the EIDHR Human Rights Crises Facility allow the EU to allocate direct grants to CSOs operating in particularly severe and difficult human rights and democracy contexts. In addition, specific democracy initiatives were implemented to promote an enabling space (e.g. Supporting Democracy, Media4Democracy, Civic Tech 4 Democracy). The EU also provides financial support to the UN Special Rapporteurs on freedom of association and peaceful assembly and on the promotion and protection of the right to freedom of opinion and expression, which are crucial in ensuring an enabling environment for civil society. The EU also promotes an enabling environment for civil society through the implementation of methodological approaches such as gender mainstreaming and the rights-based approach (RBA) to development cooperation, that empower EU delegations to act on human rights in all sectors of their work. This multifaceted support helps to combat restrictive laws and practices impeding the work of independent civil society.

## National Human Rights Institutions

National human rights institutions (NHRIs) are crucial actors in the broader human rights architecture and in enabling rights-based development processes. However, they are affected by the deteriorating situation of shrinking democratic and civic space for independent human rights action.

In 2019, the EU continued to monitor the multiple challenges that NHRIs face in fulfilling their mandates. The EU Action Plan on Human Rights and Democracy 2015-19 identified NHRIs as key EU partners and acknowledged their essential role in the promotion and protection of human rights. The EU is firmly committed to supporting and engaging with those institutions, the work of which is in line with the Paris Principles, as well as those striving to comply with the said principles.

As a follow-up to the EU Action Plan's commitment to strengthen the involvement of NHRIs in consultation processes at country level, in 2019, NHRIs were present during the EU human rights dialogues with Morocco, Kyrgyzstan and Turkmenistan.

Financial support complements the EU's political commitment to NHRIs. While ad hoc support was given to NHRIs in the past, a new, stronger commitment to supporting NHRIs has been demonstrated by the adoption of the EIDHR Regulation for 2014-20. The EIDHR currently funds two strategic, targeted programmes to support NHRIs:

- A targeted programme entitled ‘Capacity Building of National Human Rights Institutions’ (NHRI.EU phase 2), which started in January 2019 for a period of three years with an EU contribution of EUR 3.75 million. The aim of the programme is not only to support the capacity of NHRIs, but also to support cooperation with their regional and international networks and to further strengthen the Global Alliance of NHRIs. The Danish Institute for Human Rights is the lead applicant, with the UN-recognised global and regional NHRI secretariats as co-applicants (Global Alliance of NHRIs, Asia-Pacific Forum, Network of African NHRIs and the European Network of NHRIs). The Network of NHRIs in the Americas (RINDHCA), recognised as having legal personality by the Ministry of Government of Panama on 7 June 2019, will be added to the programme as a further co-applicant.
- A second targeted programme providing EUR 1 million to the European Network of NHRIs, intended to enhance the effectiveness of NHRIs in promoting and protecting human rights in situations of conflict or post-conflict in wider Europe through capacity building, dialogue and cooperation between concerned NHRIs, and engagement with national, regional and international actors.

## **6. HUMAN RIGHTS DEFENDERS**

In 2019, the EU continued to relentlessly support human rights defenders, to denounce the shrinking space for civil society, and to use political and financial action to support those fighting for human rights, in particular when they are at risk. The situation across the world remained extremely difficult with increasing reprisals such as harassment, arrests and attacks, including cyber-attacks, and killings of human rights defenders (HRDs)<sup>20</sup>.

The cooperation between EU delegations and the EU Member States' missions continues to be one of the most effective tools for translating the EU Guidelines on Human Rights Defenders into concrete actions on the ground. Such actions include more regular reporting; increasing public support to HRDs, including the creation of new Human Rights Defenders' Awards; increased EU presence during trial observation; opposing unjustified restrictions such as travel bans and asset freezes imposed on individuals as a deterrent to their human rights activism; defending an enabling environment for human rights defenders through political and policy dialogue with partner countries; speaking out against cases of intimidation, harassment or reprisals; sending strong messages during country visits and enhancing HRDs' protection with country-specific projects.

For example, the implementation of the burden-sharing mechanism between the EU delegations and the Member States rendered the monitoring of the HRDs' situation more effective.

### **Filter Group in Guatemala**

The Filter Group (led by the EU delegation and composed of EU Member States, Switzerland, Canada, the USA, and the OHCHR and UNHCR country offices) supported the work of human rights defenders. Support included periodic meetings with defenders (12), visits to remote areas of high risk for defenders, attendance at judicial hearings, communiqués, visits to imprisoned defenders, and periodic meetings with justice operators and institutions in charge of the protection of human rights defenders to follow up on 27 cases of attacks against defenders and cases of defenders subject to legal processes.

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<sup>20</sup> Since 2005, the EU has supported more than 30 000 human rights defenders.

At the UNGA Third Committee, the EU actively engaged in negotiations led by Norway on the resolution on human rights defenders. In the UN Human Rights Council, the EU supported the Norwegian-led resolution on human rights defenders working on environmental matters. The resolution recognised the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development. Reaching consensus on this crucial issue was a significant step forward. At its September session, the HRC emphatically endorsed a resolution on reprisals against those cooperating with the UN, its institutions and mechanisms in the field of human rights, an initiative that was strongly supported by EU Member States.

In 2019, the EU supported the triennial HRC resolution on the mandate of the UN Special Rapporteur on the rights to freedom of peaceful assembly and association and continued to support him, as well as the Special Rapporteurs on the situation of human rights defenders, and on the promotion and protection of the right to freedom of opinion and expression; their work is crucial to counter the deteriorating working environment for HRDs. The EU actively pursued its cooperation with international and regional mechanisms in charge of protecting HRDs, including by participating in the ninth inter-mechanism meeting on the protection of HRDs, a joint initiative of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), which was hosted by the OSCE ODIHR in Warsaw on 18 September. This was attended by, amongst others, the UN Special Rapporteur on human rights defenders, the OSCE ODIHR Director, the Office of the Council of Europe Commissioner for Human Rights and the EU Fundamental Rights Agency. Participants exchanged views on the impact of national security and counter-terrorism laws on HRDs' protection, strategies to reassert the legitimacy, achievements and positive role of HRDs, as well as the participation of HRDs in the work of inter-governmental organisations. A side event followed in the margins of the OSCE HDIM on HRDs' protection, featuring international and regional mechanisms and institutions.

Human rights defenders - especially those working on human rights issues related to land, the environment and extractive industries - have been subject to particularly severe repression, including killings. As part of the EU's specific commitment to step up efforts to protect human rights defenders, the EU-NGO Human Rights Forum on 3-4 December 2019 in Brussels brought together HRDs from more than 90 countries to discuss how to build a fair environmental future.

EU statements raised the cases of certain HRDs in the OSCE Permanent Council meetings and in the annual OSCE Human Dimension Implementation Meeting in Warsaw. The EU also actively contributed to the Human Dimension Committee meeting dedicated to HRDs in December 2019, highlighting the EU's policy and financial contribution to HRDs, as well as calling on all OSCE participating states to implement the relevant existing commitments (considering that some participating states are questioning the concept of human rights defenders). The EU statement marking the Human Rights Day in the OSCE Permanent Council focused on HRDs and on the challenges that they face within the OSCE area.

The EU remained a major donor to the protection of HRDs under the EIDHR, which is the world's largest programme dedicated to human rights and democracy (EUR 1.3 billion for the period 2014-2020).

The EIDHR funds the EU human rights defenders mechanism, ProtectDefenders.eu (EUR 20 million for 2015-2019). It has provided support to more than 30 000 HRDs and their families since 2015 through a combination of short, medium and long-term initiatives (including direct support, training, advocacy and outreach activities). The mechanism was renewed in November 2019 for another three years with a budget of EUR 15 million. The EU is particularly engaged in supporting women human rights defenders (WHRDs), given the prominent role they play in defending human rights and the gender-based obstacles they face. Therefore, one of the new components of the renewed mechanism will address the need to enhance a gender-sensitive approach. Another novelty is the support for shelter initiatives for HRDs at risk, in particular at regional and local levels.

The EU emergency fund for human rights defenders at risk, which has been in place since 2010 and is directly managed by the EU, has supported over 1 000 human rights defenders and their family members since 2014. This direct financial support contributes to the effective implementation of the EU Guidelines on Human Rights Defenders by EU delegations and EU Member States and is complementary to political action in protection of HRDs. The emergency fund provides crucial, often vital, assistance to HRDs, allowing them to continue their legitimate human rights work.

The EIDHR Human Rights Crises Facility provides flexible grants to civil society and human rights defenders working in extremely difficult conditions and/or where the publication of a call for proposals would be inappropriate. In 2019, six facility projects had re-granting and the capacity building of HRDs among their main objectives.

### **#WeDefendLife – A campaign to raise the voice of human right defenders in Colombia**

The campaign #WeDefendLife (#DefendamosLaVida) has been a successful example of digital diplomacy and engagement to articulate the efforts made by the EU and its Member States (plus Switzerland) in Colombia. Together, the embassies have prioritised 40 cases of human rights defenders all around the Colombian territory whose life and processes are under threat, supporting them and showing them that they are not alone. Every embassy has engaged in one or more cases to monitor them and give the human rights defenders concerned visibility before the authorities, society and the media in order to prevent stigmatisation and call for their protection.

## **7. FREEDOM OF EXPRESSION AND MEDIA FREEDOM**

The EU's mandate in this area is framed by the Guidelines on Freedom of Expression Online and Offline and the EU Action Plan on Human Rights and Democracy. In 2019, a number of relevant actions were implemented as part of the European Consensus for Development<sup>21</sup> and Sustainable Development Goal 16.10.

In 2019, the EU Guidelines on Freedom of Expression Online and Offline were highlighted on many occasions. Several statements and declarations were issued on the freedom of expression, either by the HR/VP or in the context of the EU's work within the UN, OSCE and the Council of Europe. On some occasions, local statements were agreed by EU delegations with Member States and like-minded countries.

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<sup>21</sup> ‘The New European Consensus on Development – Our World, Our Dignity, Our Future’, adopted in June 2017 jointly by the Council, the European Parliament and the Commission. [https://ec.europa.eu/international-partnerships/system/files/european-consensus-on-development-final-20170626\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/european-consensus-on-development-final-20170626_en.pdf)

The EU systematically raised the issues of freedom of expression and press freedom in the political and human rights dialogues with partner countries, among others with Cuba, Pakistan, South Africa and Indonesia.

The EU continued to closely and effectively collaborate on these issues with the OSCE, the Council of Europe and with the specialised UN agencies.

The EU supported the work of the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and intends to strengthen direct cooperation.

Regional and local events were also organised, such as the events in the context of the EU-Western Balkans Media Days. At the 2019 event, a panel of leading journalists, fact-checkers and academics discussed the state of play in the region and ways forward on countering disinformation.

In 2019, journalists and media workers continued to be the target of psychological, physical and digital attacks. Acts of intimidation and harassment were reported in all regions, often accompanied by a refusal by state authorities to effectively investigate. The EU provided support, including legal assistance to journalists at risk via the mechanisms for HRDs and the work of the European Centre for Press and Media Freedom. In many countries, financial support was provided locally to foster the protection of journalists, bloggers and media workers.

The Media4Democracy project continued to provide technical assistance to EU delegations throughout the year, building the capacity of EU delegations' and Member States' staff to sustainably implement the Guidelines on Freedom of Expression in different local contexts, while increasing direct engagement with journalists, media institutions and civil society. The project provided targeted media assessments in Malaysia and Burundi; means to strengthen the media to enhance gender equality in Burkina Faso and Malaysia; three fellowship programmes in Tanzania, Rwanda and Kyrgyzstan; legal analysis to strengthen the freedom of expression in Russia; work to counter hate speech and disinformation in Indonesia; and actions supporting the media in restricted and highly dangerous contexts.

Two EIDHR global calls were dedicated to supporting civic activism and participation by leveraging digital technologies, and projects were selected: (i) for Brazil, to ensure that uses of robots in social media to promote disinformation are faced with transparency and media literacy practices; (ii) for Cambodia, to empower young ethnic minority community citizens to make government more participatory, transparent, responsive and accountable, including by leveraging digital technologies, in Ratanakiri, Mondulkiri, Koh Kong and Kampot; and (iii) for Central Asia, to incentivise vulnerable youth in remote areas to participate in online and mobile educational games that build their critical thinking, and to expand access to online information and educational tools.

Ensuring freedom of expression and media freedom remained one of the main challenges facing the EU candidate countries. Political interference in the media sector, economic sustainability of independent outlets, concentration of media ownership and various forms of intimidation, including violence against journalists and other media workers, are topical issues and improving this situation goes beyond a simple transposition of EU rules: it calls for behavioural and cultural change in politics, the judiciary and the media. The EU continued to support this process by providing legal assistance and guidance in drafting media legislation and thoroughly monitoring the policies of candidate countries and potential candidates.

The financial support through the IPA programmes was based on the strategy and the policy vision set out at the Speak-up! conferences and the EU-Western Balkans Media Days (the last one was held in Podgorica on 12-13 September 2019).

Examples of activities include promoting quality journalism and investigative journalism for young and mid-career journalists, a regional scheme for EU journalism awards and a technical assistance programme for public service broadcasters.

In partnership with UNESCO, support for media accountability, media internal governance and media information literacy is provided to address challenges related to disinformation in the region.

As part of the larger EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey, the judiciary and media regulatory authorities in the region receive assistance in applying the European Court of Human Rights case-law system.

Within the context of shrinking civic space and authoritarian practices to restrict the freedom of the media in the Neighbourhood South, the EU remained committed to support independent media both through regional and bilateral interventions. Besides bilateral support where possible (e.g. MEDIA UP in Tunisia), a number of regional programmes supported the media, their networking and peer-to-peer capacity enhancement through hands-on production-led training for journalists and in-house training for editors/management (regional OPEN Media Hub); engaging youth through online media, broadcasters, and media literacy (D-Jil and Shabab Live); engaging women in the media and audio-visual sector, as well as in broader social/community based debate.

The fight against disinformation remained a priority objective in 2019, with the EU institutions and the Member States' authorities taking sustained and coordinated actions under the EU action plan against disinformation to protect the Union's democratic systems and combat disinformation, including in the context of the 2019 European elections.

In 2019, the Commission commenced its review of the first year of operation of the Code of Practice on Disinformation, a self-regulatory instrument to which the major online platforms (Facebook, Google, Twitter and Microsoft) and Mozilla, as well as European and national trade associations from the advertising sector are subscribed.

On their side, the Strategic Communications Task Forces, set up to address communication challenges in the EU Neighbourhood, focused on:

- identifying disinformation to address the manipulation of public opinion, the pollution and polarisation of open debates and the harassment of independent voices;
- analysing the information environment, awareness-raising, local capacity building, promoting media literacy, and proactively positioning the EU narrative;
- engaging with civil society and journalists, in the firm belief that supporting independent media and working to ensure that online and offline spaces for debate are preserved is essential to the well-being of those regions and of Europe.

The Task Force for Strategic Communication in the Eastern Neighbourhood continued to work on the EUvsDisinfo website<sup>22</sup> gaining over one million page views, marked the 10<sup>th</sup> anniversary of Eastern Partnership with the #EaP10 campaign, expanded the disinformation database to more than 2500 cases, and continued to engage with civil society and media from the EaP countries. The Rapid Alert System was launched, enabling an information-sharing and analysis platform for the Member States.

The Western Balkans Task Force focused on reinforcing the EU narrative in the Western Balkans through proactive, fact-based communications, strengthening an enabling media environment in the region, and on strategic work on countering and building resilience to disinformation.

The Task Force South addressed communications challenges in the Southern Neighbourhood and the Gulf region by communicating better, including in Arabic, about the EU and its policies to help address misperceptions, and by listening to target audiences.

The role of the EU delegations in partner countries remained crucial to the EU's action to support freedom of expression in the world. To reinforce the EU delegations, additional operational tools were prepared with the assistance of the Media4Democracy programme, such as the Access to Information Guide and the handbook on protecting the security of journalists. Sessions on freedom of expression were integrated into the training for EU delegations' human rights and gender focal points. A webinar on the priority areas of action for the implementation of the freedom of expression guidelines was tested by seven delegations in December 2019.

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<sup>22</sup> <https://euvsdisinfo.eu/>

## **‘Media Literacy in an age of news overabundance’: media literacy coalition in the Republic of North Macedonia – EU-funded project**

This project promoted media and information literacy, quality journalism and active citizenship. It was implemented by the Institute of Communication Studies with a total of EUR 280 138 EU funding under the Civil Society and Media Programme. As a result, more than 800 students from nearly 40 schools in the Republic of North Macedonia, through the high school newspaper ‘Medium’, learned how to critically consume media messages and how to produce news content. The project provoked a national debate among state institutions, schools and civil society about advancing media literacy education.

The project further demonstrated that the media and the civil society could work together effectively, as partners in the first media and information literacy coalition (MAMIL) in the country, to promote active citizenship and the human rights of persons belonging to marginalised groups. Their collaborative news stories, which focused on patients suffering from rare diseases, made those patients more visible to the national health system and led to legislative changes.

The European Commission recognised MAMIL as one of the 10 best media literacy projects during the European Media Literacy Week 2019 in Brussels.

Freedom of expression online and offline is particularly relevant during electoral processes. The EU election observation missions pay particular attention to assessing online and offline content and to the use of platforms by candidates, political parties, election management bodies, civil society and other relevant stakeholders. They also monitor the attempts by authorities to limit access to social media or to the internet in general during key electoral periods. New guidelines have been developed for assessing online content, complying with international human rights instruments, commitments and good practices concerning freedom of expression and internet governance and regulation and, following a first pilot in Tunisia, they will be used in all EU observation missions from 2020 onwards.

In the dialogues with partner countries, current developments (and challenges) in Europe were discussed and, when suitable, proposals to provide technical assistance were put forward.

In 2019, the challenges posed by new technologies led to growing concerns over violations and abuses of human rights online, hate speech, online defamation, internet shutdowns and the safety of journalists and other media workers, including in Europe. Moreover, the tools that allow the expression of ideas can be misused to control or distort those same opinions. Even the measures implemented to guarantee cyber security such as anti-defamation legislation, can be used to silence journalists and the broader public. Especially worrying are the attempts to influence electoral processes. When seeking to protect the public from internet-based threats, it remains essential to ensure respect for human rights, including freedom of expression.

The EU continued to closely follow the current transformation in the media landscape, launched new initiatives on data protection, online disinformation, hate speech and the protection of whistleblowers and monitored their implementation. In October 2019, the Council adopted new EU-wide standards proposed by the Commission to guarantee a high level of protection for whistleblowers who report breaches of EU law. The new rules ensure safe reporting channels as well as prohibit reprisals against whistleblowers, such as suspension or intimidation.

In February 2019, the Commission publicised the results of the evaluation of the implementation of the Code of Conduct on hate speech agreed in 2016 with Facebook, Microsoft, YouTube, Twitter and other platforms. The evaluation showed that this self-regulatory tool has helped to quickly achieve tangible results: IT companies respond to notices within 24 hours and on average they remove 72 % of content notified to them, always respecting international human rights law, including the freedom of expression.

In addressing hate speech, the EU appreciated the latest reports from the UN Special Rapporteur on the promotion and protection of the freedom of opinion and expression and from the OSCE Representative on Freedom of the Media, which provided important contributions on hate speech definition and control.

The development of artificial intelligence (AI) can have a positive impact on human rights such as increasing the access to education and health care services around the world, including in remote areas, but negative impacts can also arise. The EU has built an AI strategy and a coordinated plan to foster a human-centric approach to AI. Due in part to the work of the High-Level Expert Group on Artificial Intelligence, in April 2019 the European Commission launched the Communication on Building Trust in Human-Centric Artificial Intelligence aiming to ensure that European values are at the heart of creating the right environment of trust for the successful development and use of AI. In this Communication, the EU affirms its intention to ‘bring the Union’s approach to the global stage and build a consensus on a human-centric AI’, including ‘by engaging in dialogues with non-EU countries and organising bilateral and multilateral meetings to build a consensus on human-centric AI’.

## **8. FREEDOM OF RELIGION OR BELIEF**

In 2019, freedom of religion or belief (FoRB) remained a key priority in the EU’s external human rights policy, led by the Guidelines on the Promotion and Protection of Freedom of Religion or Belief.

In the course of political dialogues with partner countries in 2019, including during more than 20 human rights dialogues and consultations, the EU consistently raised its concerns about FoRB violations. Concerns were raised in particular with countries of the Middle East and the North African region, South Asia, Central Asia and South East Asia. The EU paid particular attention to acts of violence and discrimination against persons based on their religion or belief. Concerns were raised about the criminalisation of apostasy and blasphemy, as well as about legislation that hinders official registration for religious groups. Ahead of the human rights dialogues, the EU systematically consulted civil society including faith-based organisations and humanist organisations in order to receive information on the most extreme human rights violations (including FoRB violations) in third countries.

The EU reacted publicly to condemn attacks on religious grounds in 2019. Accordingly, the HR/VP issued statements after the attacks on a mosque in Christchurch, New Zealand, and on churches in Sri Lanka. Other statements were published, condemning the persecution of Jehovah's Witnesses in Russia or showing support for the case of Asia Bibi in Pakistan. A statement was also issued on the occasion of the first International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief on 22 August.

The EU remained a strong FoRB advocate in multilateral fora. The EU was the lead sponsor of a FoRB resolution both in the UN Human Rights Council and the UN General Assembly Third Committee. The FoRB resolution urged states to protect, respect and fulfil the right to freedom of religion or belief, while expressing concerns for violations to the right to FoRB, and calling on states to step up their efforts to implement the commitments undertaken. In March 2019, the resolution renewed the mandate of the UN Special Rapporteur for the period 2019-2021. The EU continued to work closely with the OIC on the resolution on 'combating intolerance, negative stereotyping and stigmatisation of, and discrimination, incitement to violence and violence against, persons based on religion or belief', to ensure the complementarity of the two resolutions and universal ownership.

In addition, the EU was active during the HRC session in March in raising the profile and the importance of the right to FoRB and the visibility of EU action: it organised a side event with the UN Special Rapporteur (UNSR) on FoRB, focusing on his latest report: 'Two sides of the same coin: The Interdependence of Freedom of Religion or Belief and Freedom of Expression'. The UNSR highlighted that states' obligations to restrict hate speech must meet the threshold defined by international human rights law.

The EU maintained an excellent cooperation with the mandate of the UNSR, by regularly exchanging information on mutual priorities at meetings with EEAS officials and EU Member States in Brussels and in EU delegations. In September 2019, the EU was invited to participate in a workshop in Geneva on reconciling the right to non-discrimination and religious freedom. The workshop was part of the work of the rapporteur on the intersection between the right to freedom of religion or belief and gender equality.

In April 2019, the EU hosted a ‘stock-taking exercise’ as part of the Istanbul Process, in cooperation with Denmark and the Universal Rights Group think-tank. The event provided the opportunity to consider the status of the Istanbul Process and to reflect on the lessons learnt. Following the event, the Netherlands announced its intention to host the next formal meeting of the Istanbul Process in The Hague. The conference took place on 18-19 November 2019 and presented the opportunity to renew the EU’s commitment to tackle emerging forms of religious intolerance and violence, discrimination and hatred. It also allowed the EU to further disseminate information on the efforts and actions undertaken at EU and national levels to tackle these phenomena, including on fighting hate speech online.

FoRB also remained high on the EU’s agenda in the course of 2019 in New York. The annual resolution was once more adopted by consensus in the Third Committee and the General Assembly, confirming the strong support of UN members for the EU’s work in this area. The interactive dialogue with the Special Rapporteur on FoRB, where he presented his most recent report focusing on antisemitism, provided the opportunity to highlight the December 2018 declaration of the Council of the EU on the fight against antisemitism, to elaborate on some of the key measures taken at EU level following the adoption of the declaration, such as in the field of training and education, as well as to reiterate the EU’s strong support for the work of the UNSR. In June 2019, the EU was instrumental in the organisation of a high-level event on antisemitism, jointly organised with Israel, Canada and the US. The year also marked a series of important meetings held at the UN’s headquarters on the UN’s action plans related to FoRB: the Fez action plan, addressed mainly to religious leaders to help prevent atrocity crimes; the Plan of Action to Safeguard Religious Sites; and the Plan of Action on Hate Speech. At several high-level meetings held to assess the progress of implementation of these action plans, the EU made relevant contributions in a number of fields.

At OSCE level, the EU engaged constructively in the negotiations on a draft decision put forward by the Slovak chair on ‘enhancing efforts to combat intolerance and discrimination against Christians, Jews, Muslims and members of other religions or beliefs’ for the Bratislava OSCE Ministerial Council, in line with the EU’s well-established comprehensive approach to all forms of discrimination and intolerance, and the existing EU Guidelines on FoRB, and proposing amendments to strengthen the references to FoRB in the text. At the first OSCE Supplementary Human Dimension Meeting dedicated to upholding the principles of tolerance and non-discrimination, including in the promotion and protection of freedom of religion or belief, the Special Envoy for Promotion of Freedom of Religion or Belief outside the EU, Ján Figel, presented the EU’s legal framework, internal and external policy and actions. The EU actively participated in the discussions on FoRB during the annual OSCE Human Dimension Implementation Meeting (HDIM) in Warsaw and in the Human Dimension Committee. On several occasions, the EU also raised the situation of Jehovah’s Witnesses in the Russian Federation, both in the OSCE Permanent Council and at the HDIM.

On 6 September, HR/VP Mogherini launched the Global Exchange on Religion in Society at a well-attended international conference in Brussels with participants from diverse backgrounds, including human rights defenders, institutional faith actors and government representatives. The Global Exchange on Religion in Society will connect civil society practitioners inside and outside Europe, allowing them to learn from each other, explore partnerships, acquire new skills, and to scale up positive experiences of coexistence among people of different faiths in pluralistic societies.

Launching the initiative, Federica Mogherini explained: “It is a kind of Erasmus for civil society actors and activists who are working on faith and social inclusion”. The future exchange will bring together groups of 20 to 25 people working on the same issues: they will travel to a place with special relevance to the issue at stake, visit local NGOs and institutions, and in the meantime, share their own experience and learn from other participants. They will also take part in workshops to learn specific skills such as project design or social media campaigning. After the end of each exchange, a virtual follow-up will take place.

In the course of 2019, the EEAS organised several training courses on FoRB-related issues at its headquarters as well as in the field. In her guidance on taking forward the interface between religion and foreign policy, the EEAS Secretary-General highlighted the need for senior officials to be better equipped when navigating the politico-religious landscape and to make the most of the potential of partnerships in pursuit of the EU's policy objectives.

On the International Day for the Elimination of Racial Discrimination on 21 March, a pilot training was conducted for EU officials and EU Member States' diplomats, focusing on the impact of bias and discrimination in the field of foreign policy. In June, the EEAS organised a two-day training on improving the delivery of FoRB policy. Conducted by human rights practitioners, it focused on the challenges of advocating FoRB for all, on initiatives in the multilateral fora to promote this right and to guard against its polarisation. In October, the EEAS conducted its annual training on political Islam and Islam in politics with a focus on the situation in the Gulf region and the way in which 'Islam' is used as a political currency in the stand-off between some of the key countries in the region.

The Special Envoy for the Promotion of Freedom of Religion or Belief outside the European Union, Ján Figel, continued to promote FoRB and highlight its interdependence with other human rights.

In 2019, the Special Envoy visited Israel, Palestine, India, the United Arab Emirates and Bahrein, bringing to 18 the number of his official visits since his appointment in May 2016. During his missions, authorities, government officials, and religious leaders demonstrated their readiness to engage in dialogue with the EU on the policies and the legal framework related to FoRB, and offered opportunities to engage with religious and civil society actors. The Special Envoy continued to support initiatives in the area of interreligious dialogue and synergies between FoRB, education and cultural activities.

Special Envoy Ján Figel met and established good cooperation with the UN High Commissioner for Human Rights, Michelle Bachelet, including on the UN-led Faith4rights<sup>23</sup> initiative, which focuses on the role of religious leaders as important human rights actors and expands their responsibility to fight against incitement to hatred, which was already identified in the Rabat Plan of Action.

In October 2019, an event ‘How to scale up EU support to FoRB’ was organised by the Commission in Brussels, where the Special Envoy presented his final report<sup>24</sup> to around 100 participants, including Member States, civil society and experts, putting forward five action-oriented recommendations.

Following a first call for proposals on intercultural dialogue in 2017, the Development Cooperation Instrument – Global Public Goods and Challenges (DCI-GPGC) continues to finance three regional projects in the Middle East and Africa with more than EUR 5 million for the period from 2018 to 2022. The projects aim to enhance cultural pluralism and intercultural understanding related to religion or belief. Thereby, they will contribute to strengthening understanding, tolerance and respect for cultural and religious diversity.

As a result of the dedicated 2017 global call for proposals on freedom of religion or belief under the EIDHR, six civil society projects are being implemented. The final EU contribution is EUR 5.18 million. The projects address key strategic areas of the 2013 EU guidelines, including the fight against different forms of discrimination and violence on grounds of religion or belief.

The European Commission continued to support awareness raising, staff training and outreach through the learning space/concept entitled ‘Agora on religion and development’. In 2019, the Commission organised the event ‘HUDIRE: Human Dignity & Religion - Valuing rights through religious studies, religious hermeneutics and religious history’, bringing together around 60 eminent scholars and religious leaders from all over the world. Expert meetings were also held on how to boost FoRB literacy with academics and CSOs.

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<sup>23</sup> <https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/FaithForRights.aspx>

<sup>24</sup> Final Report on the Mandate of the Special Envoy Jan Figel <https://www.janfigel.eu/single-post/2020/01/12/Final-report-on-the-mandate-of-the-Special-Envoy>

## **9. TORTURE AND OTHER ILL-TREATMENT**

Whilst the prohibition of torture and other cruel, inhuman or degrading treatment or punishment is absolute in international law, it continued to be challenged all over the world in 2019.

The EU stepped up its efforts towards a torture-free world, notably by updating the Guidelines on EU Policy towards Third Countries on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the Council, together with Council conclusions, on 16 September 2019.

In 2019, this third revision of the guidelines reflected policy developments both at global and EU level, notably the 2030 Agenda for Sustainable Development, the revised UN Standard Minimum Rules for the Treatment of Prisoners, the Global Strategy for the EU's Foreign and Security Policy and the Global Alliance for Torture-Free Trade<sup>25</sup>. The guidelines include references to important issues such as enforced disappearances, sexual and gender-based violence and victims' rights and provide a non-exhaustive list of contexts where torture may occur. They also highlight the relevance of procedural safeguards (in particular in the first hours of detention) and the key role played by monitoring mechanisms in the prevention of torture and other cruel, inhuman or degrading treatment or punishment. With this update, the EU renews its firm commitment to combat torture worldwide through a comprehensive approach encompassing prohibition, prevention, accountability and redress for the victims.

HR/VP Mogherini issued a declaration on behalf of the EU on the occasion of the International Day in Support of Victims of Torture (26 June 2019), reaffirming the EU's strong opposition to any kind of acts of torture worldwide. The HR/VP recalled that torture is a crime that can target anyone in different forms and in different settings. The HR/VP stressed the importance of continuously engaging with our partners, at international, regional and bilateral level, along with civil society, in order to make progress towards the eradication of torture in all its forms.

The EUSR for Human Rights further contributed to the fight against torture, by publicly raising the issue during his visits around the world, as well as in bilateral conversations with other leaders.

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<sup>25</sup> Global Alliance for Torture-Free Trade <http://www.torturefreetrade.org/>

The EU continued to make use of all political and financial tools at its disposal, including démarches and statements to address urgent situations.

In most human rights dialogues, the EU raised torture and/or other ill-treatment, in particular urging countries to ratify and fully implement the Convention against Torture and its Optional Protocol; fully align their legislation with the Convention; comply with recommendations from monitoring mechanisms; and ensure that all reports of torture and other ill-treatment are properly and impartially investigated, perpetrators are brought to justice, and victims are afforded redress.

During these dialogues, the EU offered concrete assistance to countries in their efforts to eradicate torture and ill-treatment depending on their needs, including financial support.

The EU also continued to promote judiciary reform in several countries, aiming to secure an independent justice sector, access to justice and improved prison conditions both through political dialogue and financial support.

Torture was also high on the agenda of the Seventh World Congress against the Death Penalty<sup>26</sup>, held in Brussels from 26 February to 1 March 2019, in plenary discussions and side-events.

At multilateral level, the biennial UN resolution on ‘Torture and other cruel, inhuman or degrading treatment or punishment’, introduced by Denmark, was adopted without a vote on 18 December 2019.

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<sup>26</sup> <http://congres.ecpm.org/en/>

Inspired by the so-called EU 'Anti-Torture' Regulation<sup>27</sup>, the Global Alliance for Torture-Free Trade, a cross-regional effort bringing together more than 60 countries committed to ending trade in goods used for torture and capital punishment globally was carried forward throughout the year. On 28 June 2019, the UN General Assembly adopted resolution 73/304 on 'Torture-Free Trade: examining the feasibility, scope and parameters for possible common international standards' with 81 votes in favour. This resolution paves the way for future work at UN level towards establishing common international standards in this field, starting with a report on the subject that was submitted by the UN Secretary-General to the UNGA during its 74<sup>th</sup> session in September 2019.

The EU continued to support projects worldwide aiming at the eradication of torture and other cruel, inhuman or degrading treatment or punishment. As part of the EIDHR, 10 projects were contracted in 2019, for a total amount of EUR 3.6 million, and by the end of 2019 a total of 59 torture-related projects, worth EUR 31.9 million, were ongoing. A large number of projects were tailored to country needs through the country-based support schemes implemented at local level.

The EIDHR focused on the fight against torture in a holistic way, supporting actions on prohibition, prevention, accountability and rehabilitation. For example, in Uganda, the EU supported the 'Accountability for Torture and Rights' Enhancement project, which provides holistic rehabilitation services to torture survivors with specific emphasis on women, children and the elderly. In addition to rehabilitation, the project focuses on advocating for the prevention of torture, seeking accountability to hold perpetrators to account for their actions, and restoring the survivors' rights to remedy and reparations. In Brazil, Indonesia and South Africa, a multi-country project financed by EIDHR focuses on establishing effective controls on the use and trade in torture technologies as a way to fight torture and prevent the misuse of tools in law enforcement.

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<sup>27</sup> Regulation (EU) 2019/125 of the European Parliament and of the Council of 16 January 2019 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment (codification). It repeals Council Regulation (EC) 1236/2005 and its successive amendments.

The EIDHR global call for proposals issued on 25 November 2019 included a lot aiming to provide overall support of EUR 8 million to civil society projects contributing to the prohibition and prevention of torture and ensuring accountability for acts of torture and ill-treatment. New to the 2019 call is a regional focus, allowing applicants to propose projects in one to three countries in the same region, and the possibility of CSOs working together with NHRIs and National Preventive Mechanisms to improve synergies.

### **Tunisia – Protecting the rights of detainees**

Two innovative and complementary works were presented to the public and the media on International Human Rights Day on 10 December 2019: a manual on the Tunisian prison system and a handbook for prisoners in Tunisia. The Justice Minister stated that, ‘these handbooks aim to uphold the rule of law and institutions by giving a human character to the prison system, to preserve the dignity of detainees and to promote their post-incarceration reintegration’.

These documents are the result of a year of close cooperation between the Ministry of Justice and the Directorate General of Prisons and Rehabilitation on the one hand, and the National Authority for the Prevention of Torture on the other. The two books, both published in Arabic and French, aim to accompany detainees throughout their entire journey through the system, from the first day in prison to the last. It explains 255 detention-related issues in an educational format of questions and answers. The books are primarily intended for prisoners and their families, as well as staff working in prisons, legal professionals and civil society. The handbook will be presented and distributed to all 23 000 prisoners and 7 000 staff in the country’s 27 prisons.

The preparation of these books is part of the Support Project for Independent Authorities in Tunisia (PAII-T, 2019-2021), co-funded by the EU and the CoE.

## **10. THE DEATH PENALTY**

In 2019, working towards the global abolition of the death penalty remained at the heart of the EU's human rights priorities. Throughout the year, the EU continued to voice its strong opposition to the death penalty, which is a cruel, inhuman and degrading punishment, violating the right to life and failing to deter crime any more effectively than imprisonment. Execution is an irreversible punishment and miscarriages of justice, inevitable in any legal system, lead to the killing of innocent people by state authorities.

More than half a century after the adoption of the Universal Declaration on Human Rights, the trend towards the worldwide abolition of the death penalty is evident. While in 1960, only 25 countries were abolitionist, today three quarters of the world's countries (145 at the end of 2019) have abolished the death penalty in law or in practice, and this number continues to grow.

In 2019, the United States served as a good example of the continuous progress towards abolition:

- New Hampshire became the 21<sup>st</sup> abolitionist state in law in the US;
- Governor Newsom declared a moratorium on executions in California, the state with the most death row inmates in the US;
- Indiana reached 10 years without executions, bringing the number of US states without executions for ten or more years to 32 out of a total of 50.

Moreover, in 2019, Angola became party to the Second Optional Protocol to the International Convention on Civil and Political Rights (ICCPR), which deals with the abolition of the death penalty, and Armenia signed the same protocol.

The year 2019 was also marked by the unsuccessful call for reintroduction of the death penalty in the Philippines and a failed attempt to resume executions in the US at federal level, where a de facto moratorium on executions prevails since 2003.

The EU consistently raised the issue of capital punishment with third countries that still use it, and this topic featured on the agendas of EU political dialogues or dedicated human rights dialogues. Based on the minimum standards defined by international law and the EU Guidelines on the Death Penalty, the EU issued a number of public statements deplored the use of the death penalty, and called on those countries to consider a moratorium. This was notably the case for Belarus, Iran, Japan, Saudi Arabia, Singapore and the US, with additional statements issued and démarches carried out in other countries. The EU has put considerable emphasis on condemning the violation of minimum standards, stressing the inadmissibility of the use of the death penalty for minors, for persons with intellectual disabilities, and for crimes that do not count among the ‘most serious’, such as drug offences.

The EU continued to raise its opposition to the death penalty in all relevant multilateral fora, in particular at the UN, the OSCE and the Council of Europe. The Global Alliance for Torture-Free Trade also takes measures to control and restrict trade in death penalty instruments.

To mark the European Day against the Death Penalty and the World Day against the Death Penalty on 10 October 2019, the EU and the Council of Europe issued a joint statement reaffirming their opposition to the use of capital punishment in all circumstances, and their commitment to the abolition of the death penalty worldwide. Numerous EU delegations marked this significant date by organising debates, publishing op-eds, and conducting other public awareness activities.

Belarus is the only country in Europe and Central Asia that still applies the death penalty. The EU actively engaged with the Belarusian authorities on the death penalty and took action to raise awareness.

The abolition of the death penalty is one of the thematic priorities for assistance under the EIDHR. This funding is mainly channelled through CSOs worldwide, with a focus on local civil society and contributing, *inter alia*, to the training of the judiciary and legal professionals, awareness raising among the general public, the creation of national networks, the monitoring of the use of the death penalty and of the application of international minimum standards, advocacy efforts for legal reform and dialogue on specific issues such as counter-terrorism and the fight against drugs. The 2018 EIDHR global call for proposals allocated EUR 8.1 million for projects supporting civil society activities with a view to the universal abolition of the death penalty. This enabled six new projects covering Niger, the Philippines, Taiwan, Uganda, the US, Cameroon, DRC, Indonesia, Malaysia, Bahrain, Egypt, Iraq, Jordan, Kuwait, Saudi Arabia, Turkey, the United Arab Emirates, China and India to start in 2019.

Sponsored by the EU, Belgium, Switzerland, Norway and Australia, the Seventh World Congress Against the Death Penalty took place in Brussels from 26 February to 1 March 2019. A major triennial abolitionist event, it brought together over 1 500 public and private actors involved in the cause of the abolition of the death penalty around the world.

## 11. EQUALITY AND ANTI-DISCRIMINATION

On 18 March 2019, the Council adopted conclusions approving the EU Human Rights Guidelines on Non-discrimination in External Action<sup>28</sup>. The Human Rights Guidelines on Non-discrimination provide conceptual and operational guidance for the EU's human rights policy in external action. They also deliver on the EU Action Plan on Human Rights and Democracy, complement and reinforce all other EU human rights guidelines, and support the EU's rights-based approach to development cooperation encompassing all human rights.

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<sup>28</sup> EU Human Rights Guidelines on Non-discrimination in External Action:  
<http://data.consilium.europa.eu/doc/document/ST-6337-2019-INIT/en/pdf>

## **Gender Equality and Girls' and Women's Empowerment**

The 25<sup>th</sup> anniversary of the Programme of Action of the International Conference on Population and Development and the 40<sup>th</sup> anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 2019 provided great impetus for continuing to translate the EU's legal and policy frameworks into reality for all women and girls, and for the good of all. The EU's internal and external policy and actions are interlinked to ensure that progress towards gender equality is made in a coherent, consistent and effective way both within and outside the EU.

In 2019, the EU continued to be at the forefront of action to achieve gender equality, to ensure the full enjoyment of all human rights by all girls and women, and to empower them. EU action focused on the following areas of intervention: (i) ensuring girls' and women's physical and psychological integrity; (ii) promoting women's economic empowerment; (iii) strengthening women's participation in politics and public life and leadership; (iv) achieving and sustaining peace through the inclusive and meaningful participation of women in all matters related to security and all phases of peace processes.

The EU remains committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action on the International Conference on Population and Development and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the EU reaffirms its commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The EU further stresses the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education and health-care services.

The EU renewed its commitment to gender equality and girls' and women's empowerment, and demonstrated greater skill and flexibility in tailoring its strategy to its interlocutors, while serving and preserving its values and interests. The EU continued to engage with a broad range of actors, including partner countries, international and regional organisations, and civil society, to achieve gender equality worldwide.

The EU's commitment to gender equality was demonstrated through a variety of undertakings, in particular through engaging in political and policy dialogues with partner countries and regional organisations, notably the AU and ASEAN, assuming a higher profile in international decision-making fora, developing joint initiatives, and endorsing gender mainstreaming as a key strategy for achieving gender equality, to mention just a few.

Gender equality, girls' and women's empowerment and the Women, Peace and Security (WPS) agenda have been a major point for discussion with partner countries and regional organisations during all political and human rights dialogues and sub-committees, informal working groups and consultations. Overall, these exchanges were held in a cooperative and constructive spirit, by sharing knowledge and best practices, and identifying concrete joint actions and deliverables.

Over the year, the EU successfully balanced bilateral and multilateral approaches to the gender equality agenda. Furthermore, the EU successfully defended global commitments to gender equality and positioned itself against any unilateral action or proposal aimed at undermining the international gender equality acquis. The 63<sup>rd</sup> session of the Commission on the Status of Women, sessions of the UN Human Rights Council, in particular the June session, and the annual session of the UN General Assembly Third Committee confirmed that the EU is a reliable, cooperative and principled global player on gender equality and women's empowerment.

Enhanced partnership and operational cooperation with regional organisations, such as the OSCE, the CoE, the North Atlantic Treaty Organisation (NATO), the AU, the Organisation of American States (OAS), the ASEAN, the Union for the Mediterranean (UfM), the ICRC and the OIC, as well as with the G7 and G20 framework, accelerated progress towards achieving gender equality for all. The EU successfully acted as a driving force, a strong promoter and a balancing force among other major powers, while defending internationally recognised gender equality principles and standards.

Over the year, the EU continued to forge a significant number of gender-focused and gender-related initiatives. These initiatives stood out for the number of women and girls who are benefiting from them worldwide, including in the most remote and marginalised areas, the meaningful role played by civil society organisations and women human rights defenders in their implementation, and for the size of the EU's financial investment. These initiatives are part and parcel of the overall EU contribution to implementing the 2030 Agenda and achieving the entire set of Sustainable Development Goals (SDGs).

Through the Partnership Instrument, the EU has spearheaded initiatives to promote women's economic empowerment through responsible business conduct in G7 countries and European business links with Latin American women-led enterprises, companies and networks as well as women as economic actors and leaders in Asia. These initiatives are ongoing with an EU contribution of EUR 22.5 million, and are conducted in coordination and partnership with UN Women and ILO.

The report on the implementation of the EU Gender Action Plan II in EU external action<sup>29</sup>, which was endorsed by the Council conclusions of 25 November 2019, included detailed information on the initiatives taken by all EU services with external mandates, 133 EU delegations to partner countries and the EU Member States. In particular, the Council reaffirmed the EU's and Member States' full and unwavering commitment to achieving the 17 SDGs by 2030, including to promoting women's and girls' full enjoyment of all human rights, gender equality and the empowerment of all women and girls as a priority across all areas of policy and action.

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<sup>29</sup> Council document 12113/19 INIT and 12113/19 ADD 1-4

## **Supporting the Economic Empowerment of Afghan Women through Education and Training in Kazakhstan and Uzbekistan**

On 12 November, the trilateral project ‘Supporting the Economic Empowerment of Afghan Women through Education and Training in Kazakhstan and Uzbekistan’, an initiative of the Kazakh Government, was launched in Brussels. The EU has contributed EUR 2 million to this project, the first example of trilateral cooperation between Kazakhstan, Uzbekistan, Afghanistan and the European Union. The project will enable 50 Afghan women to complete undergraduate, postgraduate and technical courses in agriculture, statistics and mining at academic establishments across Kazakhstan and Uzbekistan. It also brings together three key interconnected priorities: women’s empowerment and gender equality; the role of education in generating knowledge and growth; and the promotion of regional stability and peace-building through regional connectivity.

In 2019, the EU continued to lead the global fight against all forms of sexual and gender-based violence, including intimate partner violence, domestic violence, harmful practices such as female genital mutilation and child, early and forced marriage, so-called honour-related violence and killings, as well as conflict-related sexual and gender-based violence, sexual exploitation, abuse and harassment, trafficking of women and girls mostly for the purpose of sexual exploitation, online/cyber violence and bullying. The EU engaged on multiple fronts: reinforcing the legal framework, developing comprehensive and integrated policies for its implementation, introducing practical measures in this respect and allocating gender-responsive resources.

Over the year, the EU made further significant strides towards acceding to the Council of Europe’s Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the Istanbul Convention. By acceding to the Convention, the European legal framework would be strengthened with a set of legally binding standards for greater protection and support to ensure a life free from violence, including domestic violence for all women.

As per Article 6 of the CEDAW, the EU recognises trafficking of women and girls for the purpose of sexual exploitation as violence against women. Globally, the EU continued to uphold the standards and principles of United Nations Convention against Transnational Organised Crime (UNTOC) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as the primary international legal instruments to prevent and address the crime.

The gender-specific approach to addressing trafficking in human beings in line with the 2017 Communication contributed to stepping up EU anti-trafficking action. The horizontal mandate of the EU Anti-trafficking Coordinator contributed to making good progress in this regard. Findings of the European Commission's second report on the progress made in the fight against trafficking in human beings (2018), and the study on EU wide data collection, indicated that women and girls are the vast majority of the victims overall, and mainly trafficked for the purpose of sexual exploitation, including within national borders. Trafficking continued to be systematically addressed in key policy instruments such as the EU Action Plan on Gender Equality and Women's Empowerment and the EU Strategic Engagement for Gender Equality, and backed-up by adequate funding. The EU has aligned its development cooperation to Agenda 2030, which addresses trafficking in human beings under three targets. One of them (SDG 5.2) concerns trafficking of women and girls for sexual exploitation. Specific measures on trafficking of women and girls are included under the EU-UN Spotlight initiative.

The EU's enlargement and neighbourhood policy also contributed to the promotion and implementation of the Istanbul Convention, with a focus on preventing violence against women, tackling gender stereotyping, and changing gender norms across the region. Specific collaboration with the CoE is taking place in the Southern Mediterranean region through the different phases of the South Programme (South Programme IV, 2020-2022). This collaboration resulted in Tunisia officially requesting to become a contracting party to the Istanbul Convention in September 2019, and in the adoption of legislation on domestic violence by Tunisia (2017) and Morocco (2018). In addition, programmes in the Western Balkans and Turkey (EU-UN programme 'Ending violence against women phase II', lasting until 2022 with a total of EUR 2.5 million) and the Eastern Partnership (new regional EU-UNFPA/UN WOMEN programme 'EU4GenderEquality: Challenging gender stereotypes and practices', lasting until 2023 with a total of EUR 9 million) engaged both international and civil society organisations in tackling gender-based violence against women and girls from a multi-pronged approach.

The EU also made progress on the implementation of the EU-UN Spotlight Initiative to eliminate violence against women and girls worldwide, which, in 2019, saw EUR 133.7 million committed to programmes in the Caribbean (EUR 42 million), Central Asia (Tajikistan – EUR 6 million and Kyrgyzstan – EUR 6 million), the Pacific (EUR 50 million) and the Sub-Saharan African region (EUR 30 million). In terms of results, the Spotlight Initiative is contributing to:

- fostering a new generation of responsible digital citizens in Argentina through education on sexual abuse and violence;
- the empowerment of young people to lead on local decisions in El Salvador;
- the adoption of new legislation to end violence against women and commitments from religious leaders on harmful practices in Liberia;
- the engagement of more than 1 000 faith-based women leaders and influencers via a partnership with the Seventh Day Adventist Church 'End It Now' campaign in Malawi;
- access to fistula repairs for 150 women and girls living with obstetric fistula in Nigeria;
- access to refugee settlements and to mental health, psychosocial wellbeing and justice services for more than 500 gender-based violence survivors in Uganda.

At the G7 Biarritz Summit in August 2019, the EU announced a EUR 85 million contribution to Affirmative Finance Action for Women in Africa (AFAWA), an initiative led by the African Development Bank (AfDB) that aims to bridge the finance gap for women in Africa and release their entrepreneurial capacity and potential. The EU is partnering with KfW Development Bank and Women's World Banking on a blending project called the Women's Financial Inclusion Facility, which promotes women's economic empowerment and financial inclusion in Sub-Saharan countries. In 2019, the EU's first contribution of EUR 10 million showed significant first results, playing an important catalytic role and helping to bring in other investors to contribute to the fund. Furthermore, in the framework of the Digital2Equal initiative for online platforms engaged in improving opportunities for women, Airbnb announced in February 2019 a partnership with the Digital Empowerment Foundation to deliver hospitality skills training to 15 000 women in India to support women's economic empowerment.

During 2018 and 2019, the EU allocated approximately EUR 52 million in humanitarian aid to preventing and responding to sexual and gender-based violence (SGBV). In May 2019, Commissioner Stylianides represented the EU at an international conference on sexual and gender-based violence in Oslo. At the conference, he reiterated the EU's commitment to preventing and responding to SGBV and showcased EU actions in this field. Throughout the year, the EU also continued to be an active member of the global initiative Call to Action on Protection from Gender-Based Violence in Emergencies, and an EU-supported project that was started during the EU's leadership of Call to Action culminated in the development of inter-agency standards on gender-based violence in emergencies and guidance on how to develop context-specific Call to Action Road Maps (from pilot projects in Nigeria and the Democratic Republic of the Congo). This project was implemented by UNFPA, the Gender-Based Violence Area of Responsibility and the Women's Refugee Commission. In December 2019, the EU launched its first ever e-learning module on the European Commission's Gender-Age Marker tool for humanitarian action.

### **‘16 days of Activism against Gender-Based Violence’ – campaign in Nigeria**

In 2019, the EU delegation launched the ‘16 days of Activism against Gender-Based Violence’ campaign. From 25 November, the International Day for the Elimination of Violence against Women, to 10 December, the International Human Rights Day, the EU delegation and Member States galvanised action to end violence against women and girls in Nigeria. The EU supported the creation of 15 sexual assault referral centres across the country through its Rule of Law and Anti-Corruption programme, implemented by the British Council.

The Women, Peace and Security (WPS) agenda has been established as an area of increasing cooperation with partners. The full implementation of the WPS agenda remained a priority for the EU. The EU now has a robust policy framework in place, with the 2018 Council conclusions on WPS endorsing the EU Strategic Approach to WPS and its action plan (July 2019). Based on the EU Strategic Approach to WPS, the EU action plan on WPS identifies objectives already defined in the WPS agenda in the key priority areas of prevention, protection, relief and recovery, and the three overarching and crosscutting principles of participation, gender mainstreaming and leading by example. All these objectives are interlinked and mutually reinforcing. This new policy framework further enhances the EU’s leading role in the promotion of effective multilateralism and gender equality and women’s empowerment, and the WPS agenda also assists the efforts of the UN and the broader global community to speed up the implementation of UNSC Resolution 1325 and its follow-up resolutions on WPS.

In August 2019 at the G7 Biarritz Summit, and in the margins of the UNGA in September 2019, the EU announced its strong support to the Initiative for Survivors of Conflict-Related Sexual Violence. The EU committed to allocating EUR 2 million within its 2020 budget to support the establishment of an international reparations system for conflict-related sexual violence.

In 2018, the G7 Foreign Ministers agreed on the Women, Peace and Security (WPS) Partnerships Initiative and the EU identified Bosnia and Herzegovina (BiH) as its partner to work on the implementation of UNSCR 1325. In 2019, a joint EU-BiH Roadmap (2019-2022) was approved. In addition, collaboration with the League of Arab States (El-Hiwar Programme) and the UfM also targeted the effective implementation of UNSCR 1325 in the Southern Neighbourhood region and the potential development of a regional action plan on WPS. The EU worked closely with women's civil society organisations, through both advocacy and programming (Combating Violence against Women in the Southern Neighbourhood Region, 2019-2021) to ensure monitoring and implementation of UNSCR 1325 in the region.

The WPS agenda is one of the priorities for 2019-2021 on peace operations and crisis management in the EU-UN strategic partnership. It is also one of the priorities of the cooperation with NATO and the OSCE and is increasingly included in political dialogues with partners and third countries. The EEAS Principal Advisor on Gender/UNSCR 1325 participated in a series of human rights dialogues held in Brussels (notably with Brazil, Kazakhstan, Tajikistan, ASEAN, UN and Mexico).

## **Facilitating access to justice for victims of femicide through the collaboration between civil society and local authorities on the implementation of the Supreme Court sentence in the case of Mariana Lima in Mexico**

With the support of the European Commission, this project was implemented by Catolicas por el Derecho a Decidir (CDD) and the National Citizen's Observatory on Femicide (OCNF). Mariana's case is representative of many other cases in Mexico of honour-related violence and femicide. Such cases start with an uphill battle against scepticism, negligence and outright obstruction by authorities during the investigation, followed by a judicial process that, more often than not, continues to re-victimise the victims and their families. The project aims to contribute to the incorporation of the recommendations of the Supreme Court in Mariana Lima's case in criminal investigations of femicide. The premise is that all violent deaths of women should be investigated as femicide until proven otherwise. This also makes it imperative that investigation protocols are guided by the highest standards of due diligence from a gender perspective. Thanks to this project, the femicide investigation protocols of two Mexican states have been modified and published, and it is expected that the protocols of a further five states will be modified over the coming months.

As part of the project, CDD and the OCNF are also helping family members in over 50 femicide cases to gain access to justice. Throughout 2019, several cases saw progress. Among the most emblematic achievements was the case of Lesvy Berlin Osorio, whose death in 2017 was ruled a suicide amidst judicial irregularities and stigmatising attitudes from authorities. The case was reclassified as femicide and went to trial in accordance with the criteria stemming from Mariana Lima's case. In 2019, the authorities offered a public apology for how they handled Lesvy's case and the perpetrator was finally sentenced to 45 years in prison. The accompaniment of femicide cases is therefore not only positive for the cases themselves, but also helps to document and shed light on grave violations, such as inconsistent investigations, corruption and impunity, and to pressure authorities to improve how they perform their duties.

The EU's Common Security and Defence Policy (CSDP) missions and operations continued to reinforce their work on gender and human rights mainstreaming, guided by the overall EU policies on, *inter alia*, WPS and gender equality, and the recommendations of the Baseline Study on the Integration of Human Rights and Gender into CSDP (2016). In 2019, progress was made in various areas, including sourcing and improving gender statistics. At the end of 2019, all civilian CSDP missions had at least one full-time human rights and gender adviser, as well as a functioning gender focal point (GFP) system. The number of gender adviser positions in military missions also increased.

WPS plays a prominent role in EU partnerships, including the EU-UN strategic partnership on peace operations and crisis management, in which it is one of eight priorities for 2019-2021. A joint EU-UN Workshop in Brussels collected lessons learned and good practices as regards exploring ways to promote women's meaningful participation in peace operations and processes and crisis management. The EU and the UN conducted a joint mapping exercise reviewing the cooperation between UN peace operations and EU CSDP missions and operations on WPS. The outcomes of the mapping will form a basis for further developing cooperation in the field.

During 2019, the UN Office for Disarmament Affairs (UNODA) began the implementation of Council Decision (CFSP) 2018/2011 in support of gender mainstreamed policies, programmes and actions in the fight against small arms trafficking and misuse, in line with the WPS agenda. The overall objective of this project is to contribute to international peace, security, gender equality and sustainable development by enhancing the effectiveness of small arms control measures. This is to be achieved through the promotion of systematic gender-analysis-based approaches and the integration of gender perspectives, thereby leading to enhanced security and safety for women and girls. The project's progress was presented at a side event on 25 October in the margins of the UNGA First Committee in New York.

## Rights of the Child

The year 2019 marked the 30<sup>th</sup> anniversary of the UN Convention on the Rights of the Child (CRC), which is the most widely ratified human rights treaty. This gave the EU an opportunity to reaffirm its commitment to protect and promote the rights of the child and to engage with children on matters that affect them. The statement by the HR/VP and the European Commission on Universal Children's Day reconfirmed this commitment. To empower children to speak up and to express their views on their own rights, the EU and UNICEF launched a global campaign called #TheRealChallenge<sup>30</sup> to convey the message that the rights of the child are universal, yet they cannot be taken for granted. Millions of users shared or viewed the campaign, helping to amplify the message: in total it had approximately 360 million views. The campaign was announced at the high-level event at the UN General Assembly in September by HR/VP Mogherini.<sup>31</sup> The EU also engaged with children during the European Development Days through a debate on meaningful child participation that was organised in cooperation with a number of NGOs and UNICEF<sup>32</sup>. The panel, composed of young leaders from South Africa, Ghana, Brazil and Zambia and policymakers, demonstrated how increased involvement of children in matters that concern them could contribute to reducing inequalities. In April, the EU organised the 12<sup>th</sup> European Forum on the Rights of the Child to assess the progress made in the EU in mainstreaming the rights of the child across EU policies and actions and to discuss priority areas for the future. The Forum focused on three themes: the protection of children in migration, children's rights in the digital world, and children's meaningful participation in policy-making.

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<sup>30</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/69354/join-real-challenge-and-help-spread-awareness-about-childrens-rights\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/69354/join-real-challenge-and-help-spread-awareness-about-childrens-rights_en)

<sup>31</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/67794/every-single-child-should-get-every-single-right\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/67794/every-single-child-should-get-every-single-right_en)

<sup>32</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/64143/eeas-cinema-near-you-european-development-days\\_it](https://eeas.europa.eu/headquarters/headquarters-homepage/64143/eeas-cinema-near-you-european-development-days_it)

The EU continued to implement the Guidelines on the Promotion and Protection of the Rights of the Child<sup>33</sup> in external action. The EU offered full-day training courses to colleagues posted in the EU delegations on the rights of the child. In addition, EU delegations received practical guidance on strengthening child protection systems with the aim of assisting colleagues in identifying ways to strengthen child protection systems in countries of operation. Rights of the child were raised during human rights dialogues with Afghanistan, Armenia, Bangladesh, Belize, China, Colombia, Moldova, Mongolia, Indonesia and Qatar, among others. The protection and promotion of the rights of the child remained a priority for EU enlargement policy, including in the context of accession negotiations and the Stabilisation and Association process. The EU issued an assessment on the rights of the child for each enlargement country in May 2019 as part of the enlargement package country reports. At multilateral level, the EU, together with the Group of Latin American and Caribbean Countries (GRULAC), tabled three resolutions on the rights of the child. Two were presented during the March session of the Human Rights Council – one concerned the 30<sup>th</sup> anniversary of the UN CRC and the second focused on empowering children with disabilities for the enjoyment of their human rights, including through inclusive education. The third resolution, presented at the UN General Assembly Third Committee, covered children without parental care.

The revised EU guidelines underline the importance of developing quality alternative care for children and providing them with appropriate support to participate in community life and to access mainstream services. Under the Call for proposals on quality alternative care for children and de-institutionalisation (EUR 13 million) aiming to support initiatives to provide quality alternative care, five projects began their implementation in Armenia, Burundi, Cambodia, Georgia and Myanmar/Burma, to enable children to grow up in safe and supportive families and communities or family-based alternative care settings. The EU also continued to support projects in enlargement and neighbourhood countries to prevent the separation of families, strengthen the systems of quality alternative care and enhance the social protection system for families and children in vulnerable situations.

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<sup>33</sup> [https://eeas.europa.eu/sites/eeas/files/eu\\_guidelines\\_rights\\_of\\_child\\_2017.pdf](https://eeas.europa.eu/sites/eeas/files/eu_guidelines_rights_of_child_2017.pdf)

With the Communication on education in emergencies and protracted crises, the EU continued to focus its efforts on bringing out-of-school children, especially those forcibly displaced or those in vulnerable situations, back into education. This political commitment went hand in hand with a financial one: in 2019, the EU's commitment to education in emergencies increased to 10 % of its humanitarian budget. In order to guide the implementation of humanitarian education in emergencies, the EU published a staff working document on education in emergencies in EU-funded humanitarian aid operations<sup>34</sup>. In December 2019, the EU launched its first-ever e-learning on its humanitarian Gender-Age Marker. In 2019, the EU allocated nearly EUR 64 million of its humanitarian aid budget to child protection activities globally, which included violence prevention and response; case management, family tracing and reunification; prevention of recruitment, demobilisation, release and reintegration of children associated with armed forces and groups, as well as support to unaccompanied and separated children, amongst others.

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<sup>34</sup> [https://ec.europa.eu/echo/files/news/eie\\_in\\_humanitarian\\_assistance.pdf](https://ec.europa.eu/echo/files/news/eie_in_humanitarian_assistance.pdf)

### **'Back to the Future' – education for Rami, 11, Layan, 10, Tarek, 8, (fake names) from Syria**

Zahra (29) is a mother of three: two boys who, until recently, had never received an education, and a girl who had attended barely two years of school. In 2016, Zahra, her husband Ibrahim (37) and the children fled Idlib looking for safety in Ansar (south of Lebanon), where they now live in a small apartment in the basement of a building. Ibrahim, suffering from cardiovascular diseases, struggles to make a sufficient daily wage just to pay for his medical bills.

In June 2018, the family approached the 'Back to the Future' centre near the village of Aabba, seeking educational opportunities for their children, Rami, Layan and Tarek. The three children started attending the Basic Literacy and Numeracy Programme. At the beginning, Rami had difficulties focusing in class, while Tarek would barely speak with classmates or teachers. Layan was very bright from the start and made many new friends. Their parents participated in awareness-raising activities at the centre on the importance of education, the risks of child labour and positive parenting. After completing their courses, the children were referred to the Accelerated Learning Programme, and in October 2019, Rami and Tarek registered in grade 2 and Layan in grade 4 at the Ansar Elementary Public School.

'Back to the Future' has provided educational support for 21 700 local and refugee children, as well as rehabilitating 23 public schools across Lebanon and Jordan. The project is funded by the EU Regional Trust Fund in Response to the Syrian Crisis, the 'Madad Fund', and is run by AVSI Middle East, War Child Holland and Terre des Hommes Italia.

In September, the EU endorsed the list of priority countries in the area of children and armed conflict. This political engagement was supported by concrete projects aiming at prevention of the recruitment and use of children in armed conflict; registration and restoration of civil documentation; family identification, release and reintegration; as well as psycho-social support for children affected by armed conflict. The EU also supported the Act to protect campaign<sup>35</sup>: a global advocacy campaign launched by the Special Representative of the UN Secretary-General on Children and Armed Conflict that aims to generate more support and action to protect children affected by war and ultimately to end and prevent the six grave violations<sup>36</sup>. The campaign was launched both in New York and in Brussels in the presence of EU officials. The EU, along with the delegations from 80 States as well as UN and civil society representatives, participated in the Third International Conference on Safe Schools held on 27-29 May in Spain, to discuss cooperation in implementing the Safe Schools Declaration and exchange on the solutions to improve the protection of education in situations of armed conflict.<sup>37</sup>

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<sup>35</sup> <https://childrenandarmedconflict.un.org/act-to-protect-children-affected-by-armed-conflict/>

<sup>36</sup> <https://childrenandarmedconflict.un.org/six-grave-violations/>

<sup>37</sup> Conclusions of the Third International Conference on Safe Schools:  
[www.protectingeducation.org/sites/default/files/documents/preliminary\\_conclusions\\_third\\_international\\_conference.pdf](http://www.protectingeducation.org/sites/default/files/documents/preliminary_conclusions_third_international_conference.pdf)

## **Endorsement of the Safe School Declaration in Ukraine**

On 26 November 2019, Ukraine became the 100<sup>th</sup> country to endorse the Safe School Declaration. The Safe Schools Declaration is a political commitment to enhance the protection of children, teachers and schools and to support the continuation of education during conflict. The EU encouraged Ukraine to join the Declaration, including during the EU-Ukraine human rights dialogue on 21 March 2019. The EU has also been supporting the advocacy work of UN agencies and non-governmental organisations for the effective implementation of the endorsed Declaration.

The endorsement by Ukraine represents a milestone in ensuring safe, continuous access to education for schoolchildren in the conflicted affected areas of Ukraine. The Ukrainian authorities are currently preparing an action plan to ensure that the main commitments are translated efficiently into education sector plans and policies.

Since the beginning of the conflict in 2014, over 750 education facilities have been damaged and many more experienced disruptions to education. Over 400,000 children experience the direct impact of the conflict as they live, play and go to school within the 20-km on both sides of the ‘contact line’, where shelling, shooting and extreme levels of mine contamination threaten their lives and well-being.

In 2019, the EU continued its efforts to eliminate and prevent all forms of violence against children (including bullying online and offline). This translated into EU support for a global programme to accelerate action to end child, early and forced marriage (EUR 6.4 million), a joint programme on eliminating female genital mutilation (EUR 11 million) and a global programme to prevent son preference and gender-biased sex selection (EUR 2 million). The programme addressing child, early and forced marriage reached millions of girls in 12 countries in Africa and Asia and focused on advocacy, strengthening national protection systems, developing capacities and mobilising complementary funding.

The Global Study on Children Deprived of Liberty, commissioned by the UN Secretary-General in 2016 and co-funded by the EU, was officially launched in November 2019, providing recommendations for law, policy and practice to safeguard the human rights of children deprived of liberty. The EU is also actively working to support efforts to safeguard children in sport: a mapping study<sup>38</sup> on best practices at national and international level was published in 2019.

In October 2019, the EU adopted Council conclusions on combating the sexual abuse of children<sup>39</sup>. These conclusions reiterate the commitment to fight against the sexual abuse of children as well as to improve prevention, protect victims better and investigate crimes more effectively. The conclusions express support for the We Protect Global Alliance to End Child Sexual Exploitation Online: a global, multi-stakeholder organisation bringing together governments, law enforcement authorities, juridical authorities, industry and civil society to improve the effectiveness of the fight against these crimes. The Stop Child Abuse – Trace an Object<sup>40</sup> initiative, which uses tip-offs by law enforcement authorities and the public to discover the origins of objects relating to the sexual abuse of a child, won an award from the European Ombudsman for excellence in innovation/transformation in June 2019. Ten children were identified and three offenders prosecuted as a result of the tip-offs from the public and law enforcement authorities. Progress was made on awareness-raising at global level through the Safer Internet Day and the #SaferInternet4EU campaign.

The EU also continued to implement the key actions set out in the 2017 Commission Communication on the protection of children in migration<sup>41</sup> in order to protect their rights to education, health-care and social protection along the entire migratory route. The EU has launched three joint programmes targeting children on the move: Protecting children affected by migration in Southeast, South, and Central Asia; Support to Afghan refugee children in Afghanistan and Iran; and Building Rohingya refugee and host community resilience in Cox's Bazar in Bangladesh. To better coordinate the different external actions undertaken to reinforce the protection of children in countries of origin and transit, the EU and UNICEF held a high-level informal dialogue in March.

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<sup>38</sup> <https://op.europa.eu/fr/publication-detail/-/publication/03fc8610-e4c2-11e9-9c4e-01aa75ed71a1/language-en/format-PDF/source-10631406>

<sup>39</sup> <https://data.consilium.europa.eu/doc/document/ST-12862-2019-INIT/en/pdf>

<sup>40</sup> <https://www.europol.europa.eu/stopchildabuse>

<sup>41</sup> COM(2017) 211 final of 12.4.2017

The EU approach to addressing trafficking in human beings is child-sensitive. The EU has aligned its development cooperation with the 2030 Agenda for Sustainable Development and its SDGs, including specifically on child trafficking.<sup>42</sup> The crime remains characterised by impunity, both in the EU and globally, with the level of prosecutions and convictions of all perpetrators remaining worryingly low. The EU supports several initiatives aimed at improving the partner countries' criminal justice systems to fight this serious and organised crime. For example, in West Africa, the EU works at regional level to improve the protection of people in vulnerable situations, including victims of trafficking in human beings, by strengthening the cooperation between countries of origin, transit and destination, in identification, protection and assistance, and in the prosecution of criminal networks.

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<sup>42</sup> 5.2 addressing trafficking of girls as part of preventing violence against women and girls, and 16.2 addressing trafficking of children.

The subject of child labour was raised in political dialogues with candidate and potential candidate countries and monitored in the EU enlargement country reports. In 2019, to mark the World Day against Child Labour, and jointly with the ILO and FAO, the EU organised the event United to End Child Labour in Agriculture, gathering representatives of civil society and the private sector<sup>43</sup>. The outcome of the discussion was a set of recommendations<sup>44</sup> for the EU and partners to tackle the high prevalence of children working in agriculture. In 2019, the EU and its Member States spoke up against violations of ILO conventions on child labour in Ethiopia, Iraq and Lao PDR at the 108<sup>th</sup> session of the International Labour Conference. Under the CLEAR Cotton<sup>45</sup> project to eliminate child and forced labour in the cotton, textile and garment value chains in Burkina Faso, Mali, Pakistan and Peru, ongoing activities included training for labour inspectors and research to map and analyse the cotton, textile and garment value chains in order to develop adequate and integrated strategies to eradicate child labour in the targeted value chains. In cocoa production in West Africa, as a key sector with a high prevalence of child labour in particular for exports to the EU, options to tackle child labour and ensure decent living wages are being explored and analysed along with sustainable production and deforestation challenges. In the framework of a GSP+ mission, the EU had the opportunity to examine the progress made in Bolivia regarding child labour, in particular in the sugar cane sector, including through corporate social responsibility initiatives. Certification is given to products whose value chain production is free of discrimination, forced labour and child labour. The scheme is a positive step in improving labour conditions and fostering corporate social responsibility in the sector. During the mission, the Bolivian authorities confirmed that following a Constitutional Court ruling the Parliament had modified the Child and Adolescent Code to re-establish the minimum age at 14 and make it compliant with ILO Convention 138 on the Minimum Age for Work.

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<sup>43</sup> [https://ec.europa.eu/international-partnerships/news/eu-fao-and-ilo-unite-end-child-labour-agriculture\\_en](https://ec.europa.eu/international-partnerships/news/eu-fao-and-ilo-unite-end-child-labour-agriculture_en)

<sup>44</sup> [https://ec.europa.eu/international-partnerships/system/files/clear-cotton-project-brochure\\_en.pdf](https://ec.europa.eu/international-partnerships/system/files/clear-cotton-project-brochure_en.pdf)

<sup>45</sup> [https://www.ilo.org/ipec/projects/global/WCMS\\_649126/lang--en/index.htm](https://www.ilo.org/ipec/projects/global/WCMS_649126/lang--en/index.htm)

## Youth

In 2019, the EU continued implementing the EU Youth Strategy 2019-2027<sup>46</sup>, which affirms that European youth policy and all actions undertaken under the strategy should be firmly anchored in the international system of human rights. As a follow-up to two of the four main deliverables defined at the EU Conference on Youth, Peace and Security hosted by HR/VP Mogherini in May 2018 — (i) to continue to create open spaces for young people to come together, build long-term relationships and directly engage with the EU; and (ii) to expand the EU communities of young peacebuilders by including young people from Asia and Latin America — a new project to showcase how the EU engages with young people globally was launched on the European Youth Portal.<sup>47</sup> This project aims to diversify the content and reach of the Portal through stories and opportunities from the global dimension of EU youth engagement. It also contributes to implementing the Council conclusions ‘EU action to strengthen rules-based multilateralism’<sup>48</sup> of June 2019, which call for efforts on public diplomacy on multilateralism to be stepped up.

The EU continued to support meaningful youth participation including through projects such as the ‘Voices of the Sahel’. The project has so far contributed to a structured dialogue between youth of the Sahel and their authorities, facilitating the creation of local, national and regional dialogue mechanisms around five thematic areas: education and vocational education and training, economic opportunities, citizen participation and peace and security (including migration and radicalisation).

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<sup>46</sup> [https://ec.europa.eu/youth/news/eu-youth-strategy-adopted\\_de](https://ec.europa.eu/youth/news/eu-youth-strategy-adopted_de)

<sup>47</sup> [https://europa.eu/youth/eu/article/62/69202\\_en](https://europa.eu/youth/eu/article/62/69202_en)

<sup>48</sup> <https://data.consilium.europa.eu/doc/document/ST-10341-2019-INIT/en/pdf>

## **Establishing the first Human Rights Centre at the National University of Timor-Leste**

In 2019, the EU entrusted the Global Campus of Human Rights, the world's largest network of universities offering postgraduate training on human rights, to lead a new capacity-building project: 'Development of Human Rights Education and Research at the National University of Timor-Leste'. The 23-month project, financed through the EIDHR and implemented in close coordination with the EU delegation in Dili, aims to contribute to the promotion of human rights, democracy and development in Timor-Leste through the establishment of a Human Rights Centre within the Faculty of Social Sciences of the National University.

The creation of the first Human Rights Centre follows the recommendations of the Post-Conflict Truth and Reconciliation Commission, advocating for the development of human rights curricula and resources. The Centre will engage in training, research activities and international networking, and is envisaged to become a partner, within the Global Campus Asia-Pacific regional hub, of universities in neighbouring and ASEAN countries. Participants in the project will lead the mainstreaming of human rights courses in the university curriculum from 2021, thereby contributing to a more just and equitable Timor-Leste.

Moreover, the Centre is growing as a lively hub of learning. Attendees have discussed some of the most pressing local human rights causes thanks to weekly public events involving hundreds of young people, and thanks also to several outreach activities with local CSOs and key national and international stakeholders, such as the Office of the Ombudsperson for Human Rights and the UN System in Timor-Leste.

## **Older Persons**

The United Nations' World Population Prospects 2019 confirmed that in 2018, for the first time in history, persons aged 65 or above outnumbered children under five years of age. The number of persons aged 80 years or over is projected to triple, from 143 million in 2019 to 426 million in 2050. Europe, with a median age of 45, surpasses the world median age of 33 by 12 years. The shift in demographics is positively reflected by enhanced global attention for the needs and rights of older persons.

In October 2019, the EU co-organised the fourth ASEM Conference on Global Ageing and Human Rights of Older Persons together with the Global Alliance of National Human Rights Institutions and the National Human Rights Commission of the Republic of Korea. The conference focused on older persons' right to work as a key element of their economic, social and cultural rights. Topics on the programme included: anti-discrimination of older workers; lifelong education and up-skilling and re-skilling of workers; and the shift in the job market in the age of the fourth industrial revolution. Furthermore, separate sessions were dedicated to the topic of intergenerational solidarity with the aim of finding solutions to the problem of hate and discrimination against older persons.

From 25-26 November 2019, the EU took part in the African Regional High-Level Conference on the situation of the Human Rights of Older Persons. The Conference brought together the UN and the AU as well as the Network of African National Human Rights Institutions and the Economic Community of West African States (ECOWAS) Parliament. The conference noted that the number of older persons in Africa between 2017 and 2050 is expected to grow, with a projected 229 per cent increase, from 69 million to 226 million, a cause for celebration that is the result of improved healthcare and nutrition, better education and stronger economies.

The conference declaration and call for action underlined that the SDGs would not be achieved on the continent unless legal, development and humanitarian strategies took direct action to enhance the enjoyment of the social, economic, cultural and political rights by older persons.

The EU also continued to participate in the UN Open-Ended Working Group (OEWG) on Ageing. At the OEWG held on 15-19 April 2019, the EU contributed actively to the discussions on ‘Social protection and social security including social protection floors’, and ‘Education, training, lifelong learning and capacity building’. The EU also provided relevant publicly-available factual information (including information from the European Institute for Gender Equality -EIGE- and the EU Fundamental Rights Agency -FRA-) on the situation of older persons in the EU and engaged in the exchange of data and best practices.

During the 41<sup>st</sup> session of the HRC in June 2019, the EU made a statement in the panel ‘Technical cooperation and capacity-building in the field of the human rights of older persons and their autonomy and independence’. The EU welcomed the shift to a rights-based approach to ageing, drawing attention to the 1991 UN Principles for Older Persons and the precarious situation concerning social security and health benefits of older persons, and women in particular, who have worked in the informal economy.

### **Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons**

Many LGBTI persons around the globe continued to be targets of discrimination, violence and hate crime in 2019. LGBTI-phobic violence undermines human rights. States have an obligation to exercise due diligence to prevent, investigate, punish and redress deprivation of life and other acts of violence. Failure to do so is a breach of states’ obligations to respect and protect everyone’s right to life, liberty and security of person as guaranteed by Article 3 of the Universal Declaration of Human Rights and Articles 6 and 9 of the International Covenant on Civil and Political Rights.

The EU is not afraid to speak out against discrimination and encourages states to take all necessary steps, in particular legislative or administrative measures, to ensure that sexual orientation and gender identity may under no circumstances be the basis for criminal penalties. One example is the speech by HR/VP Mogherini at the European Parliament emergency debate on Brunei on 18 April: ‘We believe there is no justification for this kind of punishments. No crime justifies amputation or torture, let alone the death penalty. And no person should be punished for loving someone. That can never be interpreted as a crime’.

During 2019, the EU continued to address discrimination and violence against LGBTI persons through a combination of political and human rights dialogues, awareness-raising activities, financial assistance and specific policy tools. More specifically, the human rights of LGBTI persons were discussed in 25 human rights dialogues with partner countries. In addition, the EU engaged in public and quiet diplomacy in countries where the human rights of LGBTI persons were under attack. In a statement issued in November 2019, the HR/VP’s spokesperson called for the release of five men in Malaysia sentenced to caning and imprisonment for engaging in same-sex relations.

A declaration by the HR/VP on behalf of the EU was issued on the International Day against Homophobia, Transphobia and Biphobia on 17 May 2019. To mark this important occasion, 45 EU delegations around the world raised the rainbow flag to draw the attention of policymakers, opinion leaders, social movements, the general public and the media to the EU’s commitment to protecting the human rights of LGBTI persons.

Regarding EU enlargement policy, non-discrimination, including on the grounds of sexual orientation and gender identity, is a priority for the EU, including in the context of accession negotiations and the Stabilisation and Association process. The Commission issued its latest assessment on the rights of LGBTI persons in each enlargement country in May 2019 as part of the enlargement package country reports.

In 2019, the EU continued to promote stronger partnerships with local and international organisations working on the human rights of LGBTI persons, e.g. by hosting debates/seminars on relevant issues including discrimination against LGBTI persons, and by endorsing cultural events, conferences, or social projects. For instance, during the High-level Conference on ‘Advancing LGBTI equality in the EU: from 2020 and beyond’ on 24-25 September 2019, there was a dedicated session on LGBTI human rights in enlargement, neighbourhood and third countries. In the margins of this conference, a joint European Commission-World Bank roundtable was held to strengthen LGBTI inclusion in the Western Balkans. This meeting brought together government representatives from Kosovo, Montenegro, the Republic of North Macedonia and the Republic of Serbia, as well as LGBTI civil society organisations from the region and other development partners. The EU also provided support to the regional conference organised by the LGBTI Equal Rights Association for Western Balkans and Turkey on 7-9 November in the Republic of Albania. In the Southern Neighbourhood, the EU continued to support regional activities to protect and promote the human rights of LGBTI persons in the Middle East and North Africa (MENA) region, including by holding a regional conference on 27-29 September 2019, gathering activists, civil society organisations and donor representatives.

The EU contributed to the organisation of a multi-stakeholder exchange on 24-25 October 2019, on issues such as legislation, anti-discrimination and curriculum reform in the EU and Asia. The main objective was to strengthen Asian and Asia-EU networking to promote the enjoyment of all human rights by LGBTI persons.

The EU also continued to promote the principles of equality and non-discrimination in UN fora, by consistently and constructively engaging with UN mandates focusing on violence and discrimination against LGBTI persons, and supporting the UN's work in this regard. In line with EU LGBTI guidelines and EU Council conclusions on LGBTI equality, the EU reiterated its commitment to equality and non-discrimination and to the entitlement of all persons, whatever their sexual orientation or gender identity, to enjoy the full range of human rights. The EU will continue its efforts to enable UN mandate-holders, including the Independent Expert on sexual orientation and gender identity, to have access to a range of countries, and to foster a climate of dialogue to help overcome fear and suspicion. In September 2019, the EUSR for Human Rights attended the UN conference in New York on ending hate speech against LGBTI people in social and traditional media. During the Commission on the Status of Women (CSW) in March the EU delegation in New York organised a side-event on transgender equality.

Within the OSCE, the EU made a statement in the Permanent Council marking the International Day against Homophobia, Transphobia and Biphobia. The EU continued to follow closely the situation of LGBTI persons in the Chechen Republic of the Russian Federation and raised it in statements at the OSCE Permanent Council and the OSCE Human Dimension Implementation Meeting, which took place in September 2019 in Warsaw. This issue was also addressed in the report under the OSCE Moscow mechanism. In all EU statements and interventions pertaining to the general topic of combating intolerance and discrimination, the EU insisted on a comprehensive and inclusive approach aiming to address all forms of intolerance and discrimination.

During 2019, the EU remained one of the top five donors worldwide in terms of support given to LGBTI civil society organisations. In 2019, the EU contracted EUR 10 million in projects to support human rights defenders worldwide working on the promotion and protection of human rights of LGBTI persons, with specific actions in Southern Africa (Eswatini, Malawi, Zimbabwe), Central America (Costa Rica, El Salvador, Honduras, and Nicaragua), South America (Bolivia, Colombia, Ecuador, Peru) and Russia. These included: supporting preventive security and protection from threats; building the capacities of organisations, supporting local initiatives and grassroots and nascent movements and encouraging the creation of alliances and networks; strengthening advocacy work at all levels, including on legislative and policy reforms and awareness-raising; and supporting strategic litigation, reporting and documentation on cases of discrimination.

## **The ‘One Community, Many Voices’ Project: a rights-based LGBTI campaign in the Eastern Caribbean**

The ‘One Community, Many Voices’ project is an EU-funded, 27-month, seven-country initiative of PCI Media, a leader in communications for social change, and United and Strong Saint Lucia, one of the strongest LGBTI organisations in the Eastern Caribbean.

The programme was developed in response to a perception and attitude study on the local LGBTI community and was designed to re-shape the human rights environment for LGBTI persons in St. Lucia and the Eastern Caribbean by shifting social norms and changing perceptions, knowledge and attitudes to reduce discrimination, violence and stigma. This is to be achieved mainly through the development of two ‘edutainment’ media – a radio drama and a magazine – to be piloted in Saint Lucia before being used as a capacity-building tool for regional partners creating their own communications for development (C4D) programmes in Antigua and Barbuda, Barbados, Dominica, Grenada, St. Kitts and Nevis, and St. Vincent and the Grenadines.

The iRight radio drama uses a fictional storyline to raise and address various human rights issues, including those affecting the LGBTI community. To further enhance community dialogue, the 15-minute radio drama is followed by a 45-minute panel discussion and a call-in programme with a designated host. The panel discussion segment features experts from various fields sharing and discussing information considered relevant to the human rights issue(s) raised in the drama. The call-in programme allows the public to freely share their own experiences, ask questions and/or raise awareness about issues that are considered important to the public. The full 21 episodes of the programme aired live on Radio Caribbean International (RCI), and it was subsequently rebroadcast on HITZ FM.

Surveys of listeners confirm that the iRight radio drama was engaging and realistic, that it aptly described current realities in many households and communities, and that it brought to the fore issues that have been part of the fabric of St. Lucian society for decades, such as domestic abuse, while also capturing newly emerging issues that have not been discussed openly in the public domain, such as LGBTI stigma.

## Persons with Disabilities

The year 2019 marked the adoption on 9 April of the European Accessibility Act<sup>49</sup>. The Act aims at improving the functioning of the EU internal market for certain accessible products and services by removing barriers created by divergent legislation. It will facilitate the work of businesses and will bring benefits for persons with disabilities in the EU. Many of these products and services are important in the education and employment area, for example computers, audio-visual services and e-books. The Act responds to the accessibility obligations that bind the EU as a party to the UN Convention on the Rights of Persons with Disabilities (CRPD).

Apart from the benefits which the Act brings for persons with disabilities and businesses in Europe, it also gives the EU yet another tool for the exchange of best practices and lessons learned in the context of its bilateral and multilateral relations in external action, including through the human rights dialogues.

In multilateral fora, the EU continued to actively take part in discussions on the rights of persons with disabilities. On 5 March, the EU contributed actively to an interactive dialogue with the Special Rapporteur on the Rights of Persons with Disabilities and the Independent Expert on the enjoyment of human rights by persons with albinism held during the 40<sup>th</sup> session of the Human Rights Council. During that Council's annual debate, the EU made a statement on issues related to the rehabilitation of persons with disabilities, stressing the importance of the European Accessibility Act.

On 26 February, for the first time in the context of the Human Rights Council, the EU together with China co-hosted a side-event entitled 'Leave no-one behind: the key role of the Convention on the Rights of Persons with Disabilities'. The side-event highlighted the rich opportunities offered by the 2030 Agenda for Sustainable Development as well as the European Consensus on Development in progressing in the implementation of the UN CRPD.

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<sup>49</sup> European Accessibility Act <https://ec.europa.eu/social/main.jsp?catId=1202>

In June, on the initiative of Poland the first-ever resolution on protecting persons with disabilities in armed conflict was unanimously adopted by the UN Security Council (S/RES/2475). As persons living with albinism are disproportionately affected by disabilities, the EU renewed its commitment to fight for their protection and for their full inclusion in social, economic and political life, as stated in the statement by the EU spokesperson on the occasion of the International Albinism Awareness Day on 13 June.

On 13 May, the annual work forum on the implementation of the UN Convention on the Rights of Persons with Disabilities took place gathering the EU focal points, coordination and independent mechanisms as well as civil society including disability organisations. Participants discussed political participation of persons with disabilities in view of the European Elections, how to claim rights under the UNCRPD and the interplay between the UNCRPD and other international conventions such as the CEDAW, the Oviedo Convention or the Convention on the International Protection of Adults.

A conference held on 28-29 November 2019 in Brussels marked the annual European Day of Persons with Disabilities. The conference, hosted by the European Commission in partnership with the European Disability Forum, brought together politicians, high-level experts as well as self-advocates on the rights of persons with disabilities. The mainstreaming of rights of persons with disabilities in all EU action and awareness-raising of the daily challenges which persons with disabilities face dominated the agenda. The conference also offered an opportunity to discuss the preliminary findings of the public consultation on the European Disability Strategy 2010-2020<sup>50</sup>. The findings will be important in informing and shaping the renewal of EU disability strategies beyond 2020. During the event, the 10<sup>th</sup> annual Access City award was handed to Warsaw in Poland, and second and third price respectively to Castellón de la Plana in Spain and to Skellefteå in Sweden.

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<sup>50</sup> European Disability Strategy <https://ec.europa.eu/social/main.jsp?catId=1484&langId=en>

Given that persons with disabilities are often disproportionately affected by disasters, and in order to ensure that their needs are adequately addressed in all EU-funded humanitarian projects, the European Commission has launched in 2019 an Operational Guidance entitled ‘The Inclusion of Persons with Disabilities in EU-funded Humanitarian Aid Operations’. The objectives of the guidance are to foster inclusion of persons with disabilities, including by providing EU staff and humanitarian partners with the tools to ensure this in the design, implementation, and monitoring of EU-funded humanitarian projects.

## Rights of Indigenous Peoples

In line with the EU’s commitments to UN mechanisms and processes dedicated to indigenous issues, the EU contributed to the celebration of the 2019 International Year of Indigenous Languages. On the occasion of the International Day of Indigenous Peoples on 9 August, the HR/VP issued a declaration on behalf of the EU. It framed the endangering of indigenous languages as one of the direct consequences of the continued violation of indigenous peoples’ rights to their traditional lands, territories, resources and to self-determination as set out in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The EU declaration also acknowledged that indigenous peoples are disproportionately affected by poverty, climate change and violence, including gender-based violence.

In 2019, the EU invested in and supported initiatives to highlight the challenges that indigenous peoples are facing in the context of sustainable development. Most important has been the continued EU support for the Indigenous Navigator, an open-source data collection and mapping tool on the enjoyment of rights by indigenous peoples. The Indigenous Navigator builds on international human rights instruments, including the UNDRIP as well as relevant SDG targets and indicators. It is used by indigenous peoples' representative bodies and the EU in the UN fora to advocate for the worldwide promotion and respect of the rights of indigenous peoples. During the annual session of the UN Permanent Forum on Indigenous Issues in April 2019, the EU co-hosted a seminar to present the preliminary findings on indigenous communities from three continents. The EU also supported an event at the High-Level Political Forum on Sustainable Development held under the auspices of the Economic and Social Council in July 2019. In this instance, the Indigenous Navigator contributed to the reports and voluntary national reviews at the high-level political forum, and subsequently to the Sustainable Development Summit held in September at the UN General Assembly.

The challenges confronting indigenous peoples also feature prominently in the EU's growing attention to the nexus between human rights, environment and climate. During the European Development Days (EDDs) held in June 2019, the EU organised an event dedicated to the strengthening of international solidarity with and support for indigenous peoples and environmental human rights defenders. Furthermore, another event at the EDDs on non-discrimination and the human rights to safe drinking water and sanitation brought testimonies from indigenous experts along with experts on other frequently discriminated groups such as 'Dalits' (persons affected by caste discrimination).

The 21<sup>st</sup> annual EU-NGO Human Rights Forum held under the theme of 'Building a Fair Environmental Future' had a specific session dedicated to indigenous peoples. Indigenous experts, including the UN Special Rapporteur on the rights of indigenous peoples, along with indigenous youth, had prominent speaking roles allowing them to bring forward concerns and possible contributions of indigenous peoples to building a fair environmental future.

## **Rights of Persons Belonging to Minorities**

Although in 2019 the situation of persons belonging to minorities continued to be challenging in many places around the world, the situation for the Rohingya communities in Myanmar/Burma and Bangladesh stood out as one of the most severe. In 2019, the EU responded to the dire need for life-saving assistance for refugees, displaced persons and host communities across Myanmar/Burma's Northern Rakhine State and the border district of Cox's Bazar in Bangladesh with EUR 43 million in humanitarian assistance. In the context of the Human Rights Council's resolution on the human rights situation in Myanmar/Burma, the EU also continued to address the human rights violations and abuses, as well as discrimination suffered by persons belonging to minorities and to ensure the necessary conditions for the safe, dignified and voluntary return of refugees. In addition, the EU continued to call for the Special Rapporteur on the human rights situation in Myanmar/Burma to be allowed access to the country, and encouraged the Special Envoy of the UN Secretary-General to engage with all stakeholders towards the identification of sustainable solutions to the crisis.

The EU expressed concern through various channels at the continuously worsening human rights situation in the Xinjiang Uyghur Autonomous Region and in Tibet. In the statement by the EU delegation in China on International Human Rights Day on 10 December, the EU drew attention to reports which inter alia point to the mass detention of Uyghurs and other minorities in political 're-education centres' and the continuing intimidation of citizens by mass surveillance in Xinjiang. It also stated that Uyghurs abroad, including in the EU, are being harassed and, in some instances, returned to China involuntarily. The EU expressed its readiness to work closely with China, within the framework of the EU-China human rights dialogue and multilateral fora, to promote respect for the rule of law and human rights enshrined in the Universal Declaration.

The protection of national or ethnic, religious and linguistic minorities is a fundamental principle of international human rights law and the EU founding treaties. The rights of persons belonging to minorities therefore featured prominently in the human rights dialogues with partner countries, especially those that are home to minorities. This allowed mutual exchanges on non-discrimination legislation and efforts to counter hate speech and hate crimes and the multiple discrimination affecting women belonging to minorities. It also allowed EU delegations to undertake awareness-raising activities with respect to frequently overlooked groups such as persons affected by caste-based discrimination, people of African descent and Roma. Throughout the year the EU engaged actively in the promotion of tolerance and respect for diversity, and the promotion of the rights of persons belonging to national minorities in accordance with applicable UN, CoE and OSCE<sup>51</sup> norms and standards. Discussions on the situation and the rights of persons belonging to minorities were also pursued at multilateral fora such as the OSCE, the Council of Europe and the UN, including by supporting the mandate-holders and offices pertaining to persons belonging to minorities. At the UN, the EU delivered a statement in the interactive dialogue with the Special Rapporteur on minority issues on 13 March at the Human Rights Council, as well as on 22 October at the Third Committee of the UN General Assembly. At the 12<sup>th</sup> session of the UN Forum on Minority Issues, which took place on 28-29 November, the EU made a statement under the theme ‘Education, Language and the Human Rights of Minorities’. The EU also engaged actively at the first European Regional Forum on Minority Issues organised by the UN Special Rapporteur on Minority issues, which was held in the European Parliament in Brussels on 6-7 May. Through these fora, the EU highlighted its policies on inclusive education, the celebration of linguistic diversity and the rights of persons belonging to minorities, as pronounced in EU and international law.

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<sup>51</sup> Including *inter alia* those of the 2008 Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations: <https://www.osce.org/hcni/bolzano-bozen-recommendations?download=true>

### **Recognition of the Amazigh language in Morocco**

On 10 June 2019, Moroccan lawmakers unanimously approved a law operationalising the official status of the Amazigh language, an important step for the rights of persons belonging to minorities, including cultural rights, and the preservation of intangible heritage in Morocco.

Roughly one third of Morocco's population commonly speaks one of the three dialects that make up the Amazigh language, also known as Berber. Amazigh was recognised as an official language and granted the same status as Arabic in the 2011 Moroccan Constitution. The law adopted in June 2019 furthers the integration of the Amazigh language in the Moroccan education system and public life.

In particular, the new law aims to extend the use of Amazigh by state and local authorities, as well as in public services and the education system. One of the most visible consequences of Amazigh's new status has been the appearance of the Tifinagh alphabet, used to write Amazigh, on public buildings and official signs, alongside Arabic and French. The EU has encouraged the promotion of Amazigh and language rights in Morocco, in particular by including Amazigh as one of the languages used in the audio-visual material posted on social networks by the EU delegation in Rabat.

## Racism, Racial Discrimination, Xenophobia and Related Intolerance

In March 2019, the Council adopted the EU Human Rights Guidelines on Non-discrimination in External Action<sup>52</sup>. The scope of the guidelines is broad and covers all prohibited grounds for discrimination. Nevertheless, the guidelines' conceptual and operational guidance for EU institutions and officials and Member States is directly applicable in the fight against racism, racial discrimination, xenophobia and related intolerance. They feature concepts which are often used in the analysis and description of racism and racial discrimination, such as, *inter alia*, *de jure* and *de facto* discrimination, direct and indirect discrimination, structural discrimination, discriminatory profiling and multiple discrimination.

The guidelines also clearly underline that the use and interpretation of the term 'race' does not imply the acceptance of theories which attempt to determine the existence of separate human races.

In addition, in March 2019 the Commission published a staff working document<sup>53</sup> entitled 'Countering racism and xenophobia in the EU – Fostering a society where pluralism, tolerance and non-discrimination prevail'.

The staff working document describes the reinforced past and current actions to address the challenges that the EU is facing in the area of racism, xenophobia and related intolerance. It goes on to provide an overview of the progress achieved, including as regards creating a strong legal framework and through the undertaking of a comprehensive policy review approach to foster equality and non-discrimination. Some areas that merit particular attention in the near future are also identified, including with respect to particular groups or communities such as people of African descent, Jewish and Muslim communities and the Roma. The comprehensive overview of the political, legal and factual situation within the EU, combined with the guidance provided by the EU Guidelines on Non-discrimination, have been utilised extensively in the EU's bilateral and multilateral engagements.

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<sup>52</sup> Council of the European Union, Brussels, 18 March 2019, 6337/19

<sup>53</sup> Brussels, 15.3.2019, SDW (2019) 110 Final

In 2019, the EU called for the universal ratification and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) both in bilateral dialogues with partner countries and at the UN, such as in the UN Human Rights Council, the UN General Assembly Third Committee, and in the follow-up mechanisms dedicated to the Durban Declaration and Programme of Action.

## **12. ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

In line with objective 17 in the EU Action Plan on Human Rights and Democracy, the EU delivered on a comprehensive agenda to promote economic, social and cultural rights (ESCR) in 2019. This was done through a three-pronged approach: (i) by increasing the focus on economic, social and cultural rights in external action; (ii) by developing operational and political guidance on economic, social and cultural rights for the EU and its Member States operating in third countries; and (iii) by stepping up efforts to protect human rights defenders who are working to uphold economic, social and cultural rights including in the context of climate change.

The EU leaders have placed climate change at the top of the EU agenda. The discussions at the annual EU-NGO Human Rights Forum in Brussels, focusing on the link between the environment and human rights, contributed to shaping the EU's external policy under the new Green Deal.

At the multilateral level, the EU and its Member States have continuously supported resolutions under item 3 (Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development) at the Human Rights Council and at the Third Committee of the UNGA. Those include the annual resolution on human rights and the environment, the resolution on human rights and climate change, and the resolutions on human rights defenders and environmental human rights defenders.

In 2019, EU Member States successfully led the way on the adoption of a considerable number of initiatives on economic, social and cultural rights (ESCR) at the UNGA and HRC, as in previous years, including resolutions on:

- the right to education (sponsored by Portugal);
- adequate housing as a component of the right to an adequate standard of living and the right to non-discrimination in this context (co-sponsored by Brazil, Finland, Germany and Namibia);
- the right to work (co-sponsored by Egypt, Greece, Indonesia, Mexico and Romania);
- the question of the realisation in all countries of economic, social and cultural rights (sponsored by Portugal);
- human rights to safe drinking water and sanitation (co-sponsored by Germany and Spain);
- cultural rights and the protection of cultural heritage (co-sponsored by Argentina, Cyprus, Ethiopia, Greece, Iraq, Ireland, Italy, Mali, Poland, the Republic of Serbia and Switzerland);
- mental health and human rights (co-sponsored by Brazil and Portugal);
- rights to social security (co-sponsored by Finland, Iceland, Namibia and South Africa).

Furthermore, the EU continued to support and defend the integrity and independence of the mandate of the UN High Commissioner for Human Rights and her Office, including on thematic engagements and support to the Human Rights Council's Special Procedures. The EU supported and cooperated with several UN Special Rapporteurs working on ESCR, including the Special Rapporteur in the field of cultural rights, the Special Rapporteur on adequate housing, the Special Rapporteur on the human rights to safe drinking water and sanitation, the Special Rapporteur on food, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and waste, and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

In 2019, the EU further contributed to the EU-led Good Human Rights Stories Initiative. The EU story this year related to the EU's new Work-Life Balance Directive<sup>54</sup>, through which existing rights for working parents and carers are extended to allow a better distribution of caring responsibilities within families. Cross-fertilisation of these best practices is an essential addition to the important but challenging work of the UN human rights system. A website<sup>55</sup> dedicated to the initiative was launched including information about past and future events, as well as all videos and feature stories shared by the coalition members.

Another part of EU public diplomacy at multilateral level was the speech at the High-Level Political Forum on Sustainable Development that took place in July in New York. There, the EU linked human rights to safe drinking water and sanitation to climate change and its effect on communities in vulnerable situations. The EU used this opportunity to raise awareness of the two sets of human rights guidelines adopted by the Council of the EU in June 2019: one on safe drinking water and sanitation and the other on non-discrimination.

The EU Human Rights Guidelines on Safe Drinking Water and Sanitation are a breakthrough in our work to respect, protect and fulfil the human rights to an adequate standard of living. The guidelines are the first ever on economic, social and cultural rights. They underline the EU's commitment to help realise the rights to safe drinking water and sanitation worldwide, and define priorities for EU external action. These guidelines are one of the many steps that the EU is taking towards the progressive realisation of Sustainable Development Goal (SDG) 6 to 'ensure availability and sustainable management of water and sanitation for all' and SDG 13 on 'taking urgent action to combat climate change and its impact'. These guidelines outline that the human right to safe drinking water entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use; the human right to sanitation entitles everyone, without discrimination, to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity. With the adoption of these new guidelines, the human rights to safe drinking water and sanitation have been mainstreamed into EU foreign policy and action.

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<sup>54</sup> <https://ec.europa.eu/social/main.jsp?catId=89&furtherNews=yes&newsId=9438&langId=en>

<sup>55</sup> <https://goodhumanrightsstories.net/>

In December 2019, the EU organised a training seminar on human rights guidelines, allowing the EU delegations to integrate the human rights to safe drinking water and sanitation into their work at political and operational levels, as well as in the ESCR chapter of their human rights and democracy country strategies and reports.

### **Improving access to safe water and sanitation services for host communities and refugees in one of the poorest regions in Eastern Sudan**

The EU trust fund for the Horn of Africa supports access to water and sanitation services in one of the poorest regions in Eastern Sudan. 90 000 refugees are living in nine refugee camps and in local communities. Almost all of them are young Eritreans and approximately one thousand Eritreans arrive every month. The current facilities are insufficient to meet basic needs of the refugee population, as well as the growing numbers of new arrivals. This project worth EUR 2 million over three years ended in 2019 and contributed to the rehabilitation and construction of water sources for human and agricultural use, supported waste management and disposal, and provided latrines in school and health facilities both in the camps and in the nearby villages. The project also improved the capacity of the Ministries and local administration responsible to administer and maintain the new facilities and water systems. In addition, the project has promoted safe hygiene and sanitation practise in the communities. This project has improved the living conditions for approximately 5 million beneficiaries, 11 000 students and 400 teachers in 26 schools, in addition to 2 health centres and a hospital.

‘In the past, we used to buy water through donkey carriage providers, but it cost us a lot of money. Regarding the school, we had problems related to hygiene facilities. Before we had nothing, but now we have access to clean water, bathrooms and we live in a better and clean environment’, said Ahmed Abdelkader, teacher at the Dar Alslam School in Kassala.

Moreover, the EU continued to pay increased attention to ESCR in bilateral dialogues with third countries. For example, in the human rights dialogue with Cuba in October, the parties addressed ESCR and environmental protection issues. In the political dialogue with Eritrea, the issue of respecting, protecting and fulfilling ESCR was addressed in relation to the recommendations under the universal periodic review process, in which Eritrea agreed to address the rights to education, health, housing and an adequate standard of living and the right to culture and protection of cultural heritage.

In our development cooperation, ESCR received further support in 2019. The EU sees cultural rights as an enabler of both development and social inclusion. The Council conclusions of April 2019 reiterated the importance of supporting local cultural sectors as drivers of inclusive and sustainable development, cultural diversity, innovation and economic resilience and promoted the inclusion of culture in cooperation with third countries.

The EU fully supports SDG 4 and UNESCO's work on inclusive culture and education, ensuring that 'no one is left behind', regardless of ethnicity, gender or disability. EU Member States continue to be collectively the largest contributor to the regular budget of UNESCO, and the EU and its Member States continue to be its largest voluntary donor. Further to this, EU countries have been coordinating closely to maintain UNESCO's main mechanism for the protection of human rights in the field of education, science and culture. The mechanism provides for the examination of cases and questions submitted to UNESCO concerning alleged violations in relation to the right to education, the right to take part in cultural life, the right to seek, receive and impart information and the right to enjoy the benefits of scientific progress and its applications.

The EU continued to support and protect human rights defenders (HRDs) at risk, including environmental HRDs, fighting for these rights to be realised in their own communities, as well as at national and global levels. Environmental HRDs promote safe drinking water and sanitation work at all steps of the water and sanitation management and supply chain as well as related policies, including those protecting natural resources from exploitation or damage. They include people working at international and regional level but also people living in remote villages, forests or mountains, and indigenous leaders or community members who are defending their traditional lands against the damage caused by large-scale projects such as mining. Front Line Defenders' global analysis in 2018 showed that 77 % of human rights defenders killed in 2018 were working on environmental rights issues. The EU provided both political and financial support to HRDs at risk. EIDHR funding for the EU human rights defenders mechanism, ProtectDefenders.eu (worth EUR 20 million for 2015-2019), had supported more than 30 000 HRDs and their families since 2015 through a combination of short, medium and long-term initiatives. The EU specifically reacted to the situation of HRDs working on environmental themes: the EIDHR global call for proposals in 2017 allocated EUR 5 million to projects 'supporting human rights defenders in the area of land-related rights, and indigenous peoples, in the context of inter alia 'land grabbing' and climate change', thereby improving the situation for hundreds of environmental HRDs around the world.

Through EIDHR funds, the EU contributed to improving monitoring and enhancing implementation of key international human rights and labour (ILO) conventions by countries benefiting from the GSP+ arrangement under the EU's Generalised Scheme of Preferences (GSP). To this end, the EU supported and empowered civil society actors. Using this rights-based approach, the EU provided substantial funding in support of labour rights, social policies, the right to health, social protection, education, access to food, water and sanitation and an adequate standard of living under various geographical instruments, such as the European Development Fund (EDF), the Development Cooperation Instrument (DCI), the European Neighbourhood and Partnership Instrument (ENPI), and thematic programmes, such as the Food Security Thematic Programme and the Global Public Goods and Challenges Programme. For example, the EU cooperated with the ILO to promote labour rights in Myanmar/Burma and to promote the work of the Economic and Social Affairs Platform in the Western Balkans to enhance the mechanisms for the amicable settlement of labour disputes and to strengthen and modernise labour inspection.

### **13. BUSINESS AND HUMAN RIGHTS**

In 2019, the EU continued to address respect for human rights by businesses throughout their supply chains, to support the activities of human rights defenders, and to facilitate access to remedy. The EU called on states and on all business enterprises, both multinational and domestic, to implement and comply with the UN Guiding Principles on Business and Human Rights (UNGPs) and their three pillars: ‘the state duty to protect’; ‘the corporate responsibility to respect’ and ‘access to remedy’. The EU actively pursued the issue during human rights dialogues with an increasing number of third countries, particularly in Latin America and Asia, and with regional organisations, such as ASEAN and the AU. By the end of 2019, 16 EU Member States had adopted national action plans (NAPs) on business and human rights, constituting a majority of the 24 states that had adopted such plans. The EU supported a regional peer learning event on national action plans organised by the Belgian Ministry of Foreign Affairs in May 2019.

The EU also continued to promote corporate social responsibility (CSR)/responsible business conduct (RBC) and business and human rights as part of the wider work on SDG implementation. In a reflection paper ‘Towards a Sustainable Europe by 2030’ published in January 2019, the Commission underlined that, given the growing complexity and globalisation of supply chains, it is important to promote the application of high sustainability standards in third countries too.

In March 2019, the Commission published an overview of progress on CSR, RBC and business and human rights across all policy areas.<sup>56</sup> Over 200 initiatives relevant to CSR, RBC and business and human rights have been implemented since 2011, using a smart mix of voluntary and regulatory measures.

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<sup>56</sup> Corporate Social Responsibility, Responsible Business Conduct, and Business and Human Rights — Overview of Progress <https://ec.europa.eu/docsroom/documents/34963>

Listed companies, banks and insurance companies with more than 500 employees are required to disclose non-financial information in their management reports pursuant to the EU Non-Financial Reporting Directive<sup>57</sup>. This information includes environmental, social and labour aspects, respect for human rights, anti-corruption and bribery issues. The non-financial statement should include information on the due diligence processes implemented by the undertaking, and also on ‘the principal risks linked to the undertaking’s operations, including, where relevant and proportionate, its business relationships, products or services which are likely to cause adverse impacts [...] and how the undertaking manages those risks.’ The Commission is currently undertaking a fitness check of the EU framework for corporate reporting, including the Non-Financial Reporting Directive.

The European Parliament and the Council reached a political agreement on a new EU regulation on sustainability disclosures in the financial sector in March 2019. This regulation will require certain financial market participants to publish on their websites and in pre-contractual documents information about their due diligence policies with regard to the adverse impacts on the environment and society of their investment decisions.

The Commission carried out analytical and consultative work during 2019 with relevant stakeholders to assess the possible need to require corporate boards to develop and disclose a sustainability strategy, including appropriate due diligence throughout the supply chain, and measurable sustainability targets. This work also covers issues related to child labour. This study on due diligence requirements in the supply chain focused on requirements to identify, prevent, mitigate and account for abuses of human rights, environmental damage, including with respect to climate.<sup>58</sup> In addition, the Commission is coordinating its reflections on the referred due diligence requirements, the ongoing process for the review of the Non-Financial Reporting Directive and other initiatives launched under the European Green Deal. Public consultations will be carried out in 2020, allowing further stakeholder input on these issues.

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<sup>57</sup> Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups

<sup>58</sup> Study on due diligence requirements through the supply chain  
<https://op.europa.eu/en/publication-detail/-/publication/8ba0a8fd-4c83-11ea-b8b7-01aa75ed71a1/language-en>

In November 2019, the European Commission launched Due Diligence Ready!<sup>59</sup>, an online portal that provides businesses with guidance on how to check the sources of the metals and minerals entering their supply chains. It will help businesses to ensure that metals and minerals sourcing respects human rights and thereby to improve transparency and accountability across their value chains.

Concerning access to redress mechanisms for victims of abuse, the EU Agency for Fundamental Rights (FRA) worked on a follow-up study to its opinion published in April 2017 on ‘Improving access to remedy in the area of business and human rights at the EU level’.<sup>60</sup> FRA has collected, as proposed by the Commission in August 2017, ‘information on judicial and non-judicial mechanisms in the Member States concerning access to remedy for victims of business-related violations’. The results of the study will be published in 2020. The Commission also started working on the addition of a redress information page on the European e-Justice Portal.<sup>61</sup>

Development cooperation plays a special role in promoting responsible management of value chains and compliance with social and environmental standards and human rights in non-EU countries, as set out in the Communication ‘A stronger role of the private sector in achieving inclusive sustainable growth in developing countries’.<sup>62</sup> The EU supported a wide range of projects related to CSR/RBC and sustainable production and consumption, involving key actors in developing countries, including through multi-stakeholder partnerships.

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<sup>59</sup> Due Diligence Ready! [https://ec.europa.eu/growth/sectors/raw-materials/due-diligence-ready\\_en](https://ec.europa.eu/growth/sectors/raw-materials/due-diligence-ready_en)

<sup>60</sup> Improving access to remedy in the area of business and human rights at the EU level, 2017

<sup>61</sup> <https://e-justice.europa.eu/>

<sup>62</sup> Communication ‘A stronger role of the private sector in achieving inclusive sustainable growth in developing countries’ (COM(2014)263)

<https://data.consilium.europa.eu/doc/document/ST-9802-2014-INIT/en/pdf>

The EU continued to provide support to civil society and social partners in the implementation of the UNGPs through the European Instrument for Democracy and Human Rights. The EU published its annual EIDHR global call for proposals with a dedicated lot on business and human rights accounting for EUR 5 million. Its main objective is to support and empower civil society to collaborate with business and investment actors in the mitigation, prevention and remediation of adverse impacts of business activities on human rights and, where needed, to hold them accountable.

The EU has included commitments to promote CSR/RBC into all its recently-concluded free trade agreements, e.g. the EU-Japan Economic Partnership Agreement and the trade section of the modernised EU-Mexico Global Agreement. The latter includes a self-standing article on trade and responsible management of supply chains (Article 9 of the chapter on trade and sustainable development), with commitments from the parties to support the dissemination of relevant international instruments such as the UNGPs. This focus on responsible business practices is translating into concrete implementation activities.

Outreach and capacity-building activities in close cooperation with international organisations and civil society are at the core of the implementation of CSR/RBC and business and human rights principles. The EU has created pilot partnerships with international organisations such as the ILO, the OECD and the OHCHR to provide technical support to develop national action plans in nine Latin American countries, with a project that started in January 2019. A similar EU project to promote responsible supply chains in six of the EU's key trading partners in Asia was launched in January 2018 in cooperation with the OECD and the ILO. A third project in Asia in partnership with UNDP was due to start at the end of 2019. In the context of its cooperation with the ILO and the OECD, the EU also enabled national contact points for the OECD Guidelines for Multinational Enterprises to be trained on labour issues in responsible business conduct (RBC) by the International Training Centre in September 2019.

Within the multilateral framework, the EU contributed to the work of the UN Working Group on Business and Human Rights and participated actively in the eighth session of the UN Forum on Business and Human Rights in November 2019. In the UNGA Third Committee, the EU continued to engage in interactive dialogue with the Working Group, supporting effective implementation of the Guiding Principles on Business and Human Rights. The EU and its Member States maintain global lead in developing National Action Plans to implement the UNGPs. The EU organised a joint session with the CoE on the role of regional organisations in promoting races to the top on business and human rights. The EU also participated constructively in the fifth session of the Intergovernmental Working Group (IGWG) on transnational companies and other business enterprises with respect to human rights in October 2019, following discussions on a draft legally binding instrument on the matter.

The EU and its Member States also supported the OECD's horizontal and sectoral work on due diligence, including through financial contributions, as well as the ILO Centenary Declaration for the Future of Work. In its conclusions of October 2019, the Council of the EU welcomed the ILO Centenary Declaration and underlined the importance of responsible management of global supply chains, including through due diligence with respect to human rights. The EU was involved in drafting and supporting the G7 Social Communiqué and its 'G7 Social's Commitments to Promote Responsible Business Conduct in Global Supply Chains'. Such commitments were reflected also in the G7 Social Tripartite Declaration, adopted by the G7 Labour and Employment Ministers and the international social partners.<sup>63</sup>

To ensure constant progress, the EU institutions continued to invest in awareness-raising of their staff about the UN Guiding Principles, with training courses and learning material being made available, in particular for EU delegations.

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<sup>63</sup> Business at OECD, International Organisation of Employers, International Trade Union Confederation, Trade Union Advisory Committee to the OECD.

## **Ship to Shore Rights Project - Combatting Forced Labour in the Thai Fishing and Seafood Industry**

Chith ‘Jed’ Poth was just 17 when he migrated from Cambodia to work in the Thai fishing industry in 2007. At the time, serious labour abuses in the Thai fishing industry were ignored or missed by the authorities. Those abuses included the withholding of wages and the confiscation of passports, classic signs of possible forced labour situations.

The EU-funded ‘Ship to Shore Rights’ project was launched in 2016 with the objective to reduce and prevent unacceptable forms of work in Thailand’s fishing and seafood industries, such as that of Jed. In a relatively short period (4 years) and with a limited budget (EUR 4.2 million) the project has made a major contribution to improving the work and living conditions of the 370.000 workers in the Thai fishing and seafood sector, mostly migrant workers originating from Cambodia and Myanmar/Burma.

Changes to Thailand’s legal and regulatory framework have contributed to these positive developments. In 2018 Thailand became the first country in Asia to ratify the Protocol of 2014 to the ILO Forced Labour Convention (protocol 29) - a human rights instrument - as well as the ILO Work in Fishing Convention (Convention 188) - the key international labour standard for the fishing sector. The Thai Government has also adopted new rules on labour protection and welfare, a ban on child labour, identification of seamen, electronic wage payment and increase in minimum wage.

In addition, the enforcement of labour laws has been strongly reinforced through capacity building of labour inspectors and interpreters. Guidelines and curricula have been developed so that they could be used in inspections at port, carried out in fishing vessels and processing establishments.

The evidence collected to date shows that the measures adopted are working, with fewer numbers of physical violence (2 % of all workers surveyed) and underage workers (less than 1%) and higher numbers of written contracts (43%) and of average real monthly wages (from THB 6.483 in 2013 to THB 9.980).

Jed says that on his vessel things are much better. ‘There has been a great improvement, especially with the pay being more consistent and much higher. The workload is now better scheduled and we have more rest time. In the past, if we were sick or injured, we can only go to the hospital if the skipper or vessel owner allows us to. Now my employers care more about our health and well-being, and I can visit the hospital using my social insurance.’ said Jed.

## **14. THE EU HUMAN RIGHTS APPROACH TO CONFLICTS AND CRISES**

### **Integrating Human Rights into Conflict Prevention, Crisis Management and Transitional Justice**

Through CSDP missions and operations, the EU is engaged in supporting security, justice and defence sector reform and capacity building in host countries in fragile situations, where serious human rights violations and abuses are part of the legacy of the conflict or continue to take place. The EU stresses the role of human rights and the rule of law in all its CSDP engagements. Just as the EU's CSDP missions and operations are increasingly deployed to complex conflict environments, so have human rights become an increasingly important element of those missions and operations, which was reflected in the increase in human rights and gender expert positions in several missions in 2019.

#### **EU Rule of Law Mission in Kosovo – combating sexual and gender-based violence**

In partnership with the Institute of Forensic Medicine and the Kosovo Police, the EU Rule of Law Mission in Kosovo (EULEX Kosovo) launched an awareness-raising campaign in September 2019, aimed at raising public awareness to increase the reporting of sexual violence crimes. It highlighted the importance of preserving biological evidence in sexual violence cases, to help bring perpetrators to justice. The campaign particularly targeted youth and it was further advertised during the 16 days of Activism campaign. Under its Monitoring Pillar, the Mission also continued its monitoring of gender-based violence cases. This work has served as a basis for the development of tailored recommendations provided to the Ministry of Justice, the Kosovo Police, the Kosovo Prosecutorial Council and the Kosovo Judicial Council, as well as other relevant stakeholders.

CSDP missions and operations, in accordance with their mandates, have integrated human rights into their activities and actively promote respect, protection and fulfilment of human rights and adherence to international humanitarian Law (IHL) as part of their advisory, mentoring and training responsibilities. Their advisory and mentoring responsibilities include supporting institutional and legislative reforms and ensuring that they comply with international human rights obligations; while their training programmes include human rights and IHL components, as well as prevention of sexual violence and protection of civilians.

#### **EU military training mission in Mali – reinforcing trust between Malian society and armed forces**

EU military training mission in Mali (EUTM Mali) developed practical, gender-sensitive scenarios for the application of international human rights and humanitarian law and the protection of civilians for the training of the Malian Armed Forces. With the support of a local civil society partner institution, EUTM engaged Malian female role players to act as civilian population in the training scenarios to make the training more effective and to strengthen trust between the Malian society and the security and defence forces. EUTM Mali also prepared a Train-the-Trainer Manual on international human rights and humanitarian law '*Manuel sur les Droits des Conflits Armés et les Droits de l'Homme à l'intention du Personnel Formateur des FAMA*' for the Malian Armed Forces.

In 2019, the EEAS conducted three conflict analyses and prepared the selection of four countries to conduct early warning. The design of each conflict analysis and its recommendations includes an assessment of the human rights situation in the country and objectives to contribute towards its improvement.

In 2019, the EU continued to implement the EU policy framework on transitional justice. Following the adoption of the AU policy document on transitional justice at the AU Summit in February 2019, the topic of transitional justice was discussed during the EU-AU human rights dialogue held on 19 October 2019. As a concrete deliverable, both organisations agreed to hold a seminar on transitional justice to take discussions further at expert level in 2020. Transitional justice developments were also discussed in other policy dialogues, e.g. with Colombia, The Gambia and Nepal. The expert seminar on the situation in South Sudan also had a dedicated session on transitional justice.

The Facility on Justice in Conflict and Transition, financed under the Instrument contributing to Stability and Peace (IcSP), was set up in 2019. The Facility provides short-term support and expert advice in the areas of transitional justice, constitution building and restoration of justice for the population. Through the rapid deployment of its experts to third countries, the Facility has rendered strategic and technical advice, helped jump-start short-term projects, facilitated the analysis of opportunities to promote transitional justice and identified solutions to remove obstacles, notably in Colombia, Venezuela, The Gambia, South Sudan or the Western Balkans. The consortium responsible for implementing the Facility comprises the International Institute for Democracy and Electoral Assistance (International IDEA) as consortium leader, Conciliation Resources, the International Center for Transitional Justice (ICTJ), the Toledo International Center for Peace – Colombia (CITpax-Colombia), and the Swiss Peace Foundation.

Transitional justice was integrated into several training courses in 2019. A separate module focusing on transitional justice was part of the regular training course on human rights that took place in the week of 17 June 2019. A dedicated session on transitional justice challenges was held during the FPI days in April 2019. Presentations relating to specific assignments at country level were organised by the Facility on Justice in Conflict and Transition for colleagues based in EU delegations. During the 2019 European Development Days, the EEAS hosted a discussion and screening on transitional justice, in partnership with the ICTJ.

Transitional justice was also included in broader rule of law and justice programmes, such as in The Gambia, where the EU supported the Truth, Reconciliation and Reparation Commission, in the Central African Republic, where it supported the Special Criminal Court, and in the Democratic Republic of the Congo, where, in line with the principle of complementarity with the ICC, it supported the prosecution and adjudication by the national criminal jurisdictions of crimes against humanity committed by militia groups in the South Kivu region.

A thematic evaluation was conducted of the support provided under the IcSP during the 2014-2018 period.

Transitional justice continues to be one of the 10 common aspects of the full conflict cycle as described in the integrated approach to external conflicts and crises, adopted in January 2018.

The EU supported the resolution on human rights and transitional justice adopted by the UN HRC at its 42<sup>nd</sup> session in September 2019. The EU also supported the various fact-finding and investigative mechanisms set-up by the HRC, such as the Independent International Fact-Finding Mission (FFM) on the Bolivarian Republic of Venezuela, the Independent Investigative Mechanism for Myanmar/Burma, the Group of Eminent Experts on Yemen, the Commission of Inquiry on Burundi, the Independent International Commission of Inquiry on the Syrian Arab Republic, the Commission on Human Rights in South Sudan, and the International Team of Experts on the Kasai region.

The EU continued to raise concerns about the grave human rights situation and prevailing impunity, including continuous systematic persecution of Crimean Tatars and persons belonging to Ukrainian speaking communities, in the Autonomous Republic of Crimea and the City of Sevastopol illegally annexed by the Russian Federation, as well as about on-going serious human rights violations and abuses in areas of eastern Ukraine and in Georgian regions of Abkhazia and Tskhinvali/South Ossetia, not controlled by the respective governments. The EU actively engaged in calling those exercising effective control to grant unimpeded access for international human rights mechanisms to these regions of Ukraine and Georgia.

## **Accountability and justice for families of missing persons in Syria**

Since 2011, more than 100 000 people have been forcibly disappeared or arbitrarily detained across Syria. ‘Through my work on the ground, I realised that nearly all Syrian families have missing people,’ says Syrian human rights lawyer Noura Ghazi. Her husband, Bassel, disappeared from prison in 2015 after three years of detention. In late 2017, Noura discovered that Bassel had been executed shortly after his disappearance.

Families of missing persons are entitled to truth and justice and deserve accountability. The EU supports the Syrian families of victims of forced disappearances through the work of the International Commission on Missing Persons.

The EU’s IcSP funds a programme focusing on Syria, the Middle East and Northern Africa. This programme encompasses a wide range of activities, including the collection of personal data from families of the missing. This is an important step toward establishing an effective search process. Once a peace agreement for Syria is reached, this search process needs to be expanded in order for transitional justice to prevail.

The Brussels III Conference on Supporting the Future of Syria and the Region addressed the issue of accountability and transitional justice, hosting the voices of several Syrian civil society organisations that represent detainees, families of missing persons, victims and survivors. ‘I think the phrase “missing persons” is self-explanatory,’ said Noura Ghazi. ‘Forced disappearance is a form of loss in itself. You do not know anything about what is happening to the person you love, whether they are dead or alive. You cannot mourn the person even if you know that they have died, because you haven’t seen the body.’

## **International Criminal Court**

The EU continued its efforts to participate in the global fight to end impunity, to ensure that perpetrators of the most serious crimes under international law are held accountable for their actions and to achieve justice for victims of genocide, war crimes and crimes against humanity. In that context, the EU continued to provide support and assistance to the International Criminal Court (ICC) and to cooperate with it.<sup>64</sup>

The EU also strengthened the mandate of the EUSR for Human Rights in the areas of international criminal justice and international humanitarian law, highlighting his role in implementing the Union's positions and ensuring their coherence and consistency in these areas.

The EU continued to advocate for the universal ratification and implementation of the Rome Statute of the International Criminal Court through the various means at its disposal, in particular during its human rights dialogues, through global démarche campaigns and the systematic inclusion of a clause in agreements with third countries encouraging the ratification of, or accession to, the Statute, and by supporting outreach activities performed by civil society organisations in Europe and in partner countries.

Support for the ICC also continued in multilateral fora such as the UN Security Council (UNSC), the UN General Assembly and the UN Human Rights Council.

The EU continued to offer technical assistance to countries that required it for domestic implementation of the Rome Statute. One example of this support was the seminar organised by Parliamentarians for Global Action to discuss the challenges on the path towards ratification of the Rome Statute of the ICC and its implementation into Ukrainian Law.

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<sup>64</sup> In accordance with Council Decision 2011/168/CFSP of 21 March 2011 and the 2011 action plan on its implementation, as well as in the framework of the implementation of the Agreement between the ICC and the EU of 10 April 2006 on cooperation and assistance.

The EU continued to provide financial support to the ICC, aimed at broadening understanding of the ICC and the Rome Statute amongst key stakeholders, and at building national capacities in dealing with crimes under the Rome Statute. The main activities included seminars, events and courses aimed at fostering cooperation, sharing expertise and building national capacity; the participation of legal professionals from ‘situation countries’ in the Court’s visiting professionals programme; and the development of legal tools to assist legal professionals working on core international crimes.

### **International Humanitarian Law**

The EU remained engaged in promoting compliance with international humanitarian law (IHL) and reaffirmed its strong commitment to the protection of civilians in armed conflicts.

The EU continued fostering respect for IHL across the various areas covered in the ‘EU Guidelines on promoting compliance with International Humanitarian Law’. In June 2019, the EU published the second report on the implementation of the guidelines, which highlights the activities that the EU carried out in support of IHL between July 2017 and December 2018.

As a complementary process, in June 2019 a report on the status of implementation of the common pledges made at the 32<sup>nd</sup> session of the International Conference of the Red Cross and Red Crescent (Geneva, 2015) was also issued. The report provides additional information on the efforts undertaken at Member State and EU level in delivering on the said voluntary commitments.

To mark the 70<sup>th</sup> anniversary of the Geneva Conventions, the EU issued Council conclusions on humanitarian assistance and international humanitarian law, to reaffirm its strong support for respect for IHL and its commitment to strengthen its efforts to disseminate IHL inside and outside the EU and to continue to promote the protection of humanitarian and medical workers in conflict areas.

The EU supported and contributed to the 33<sup>rd</sup> International Conference of the Red Cross and Red Crescent held in Geneva in December 2019. During this unique event, bringing together states, the International Red Cross and Red Crescent Movement and other relevant actors in the humanitarian field, the EU and its Member States delivered a statement and presented a new set of pledges, which will contribute to the promotion and dissemination of IHL.

The Union continued to be active as a member or as an observer in a range of international organisations and bodies and, in this capacity, frequently expressed its views on matters of IHL. For example, the EU participated in open debates of the UN Security Council, such as the one on the protection of civilians in armed conflict, where its statement underlined the Union's commitment to IHL.

The EU also focused in particular on the protection of humanitarian workers. It continued to facilitate, *inter alia*, the negotiation of the UNGA resolution on the safety and security of humanitarian personnel and protection of United Nations personnel. It also continued to advocate for the need to implement or reinforce context-specific measures to enhance the physical safety of medical personnel and infrastructure, in line with UN Security Council Resolution 2286.

As a key humanitarian donor, the EU considers that strengthening compliance with IHL is an important element to be taken into account when disbursing funds from the EU humanitarian aid budget. The EU continued to support the work of the International Committee of the Red Cross (ICRC), one of the EU's most trusted humanitarian partners, and a key partner in upholding respect for IHL and humanitarian principles. In 2019, the ICRC received EUR 124,8 million in funding from the EU's humanitarian aid budget. This included advocacy work on IHL and the protection of civilians, in order to contribute to a change of behaviour by armed actors towards IHL, to reduce the humanitarian consequences of conflicts, and to increase humanitarian access to conflict-affected areas.

The EU also supported Geneva Call, an organisation that works to improve the protection of civilians in armed conflict and strengthen the respect for IHL by armed non-State actors. The EU supported its work in a number of contexts such as Iraq, Syria, Yemen, the DRC and Libya on the promotion of respect for IHL by all types of armed non-State actors. The EU continued to support the Geneva Call in building globally the humanitarian community's capacity to negotiate access to war zones with non-State armed groups and to promote their compliance with IHL in armed conflict. Support was also provided from the EU humanitarian aid budget to relevant activities of the UN Office for the Coordination of Humanitarian Affairs (OCHA) and the UN OHCHR.

One of the priorities of the EU's ongoing co-chairmanship of the Good Humanitarian Donorship (GHD) initiative has been to focus on donors' role in promoting and ensuring respect for IHL. The emphasis has been on identifying and sharing good practice examples of concrete donor actions, including collective engagement, aimed at promoting IHL and reacting to IHL violations.

The EU also promoted capacity building on IHL. For example, it organised a workshop for senior officials, jointly with the UN, on humanitarian civil-military coordination, IHL and protection of civilians, with a specific focus on Mali/Sahel. In January 2019, the EU Military Committee approved the EU Concept on Effective Civil-Military Coordination in Support of Humanitarian Assistance and Disaster Relief<sup>65</sup>. This concept, drafted by the EU Military Staff in close association with the Commission, highlights the key importance of respect for and promotion of IHL.

## **Counter-terrorism and the Prevention of and Countering Violent Extremism (CT/P-CVE)**

In 2019, the EU remained fully committed to providing continued support to its key partners in this area, with due respect for the rule of law, democracy and human rights and the values enshrined in the UN Charter and set out in the EU Counter-Terrorism Strategy<sup>66</sup>.

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<sup>65</sup> Council document 5536/19 of 30 January 2019.

<sup>66</sup> Council of the European Union, 30 November 2005: The European Union Counter-Terrorism Strategy

Through regular CT political dialogues and security dialogues with priority countries, as well as through multilateral coordination<sup>67</sup>, the EU systematically encourages partners' efforts to strengthen their capacity to prevent and respond effectively to radicalisation, violent extremism and terrorism, in full respect of human rights, emphasising the need to ensure that prevention of and countering violent extremism and counter-terrorism policies and measures do not 'negatively affect, limit or impact women's rights' and that CT/P-CVE policy should not be a pretext for cracking down on human rights and fundamental freedoms.

In line with the Council conclusions of June 2017<sup>68</sup>, and through targeted political dialogue and counter-terrorism partnerships, the EU has strengthened its cooperation with priority partners. These include EU partners such as the UN, the USA, Turkey, countries in the Western Balkans, North Africa, the Sahel and the Horn of Africa – but also the Republic of Korea, Russia, Kuwait, Qatar, the United Arab Emirates, Australia, Georgia, Azerbaijan, India and Pakistan. In addition, the EU has developed cooperation on CT/P-CVE with Central Asian countries. All those dialogues have continuously advocated due integration of human rights and rule of law principles into counter-terrorism policies, *inter alia* through the development of an evidence-based criminal justice system. Terrorism and violent extremism are multidimensional challenges that require a multifaceted response. While engaging with third countries, the EU highlights the importance of prevention as the key pillar of any 'whole of government' counter-terrorism strategy, and recommends the development of a national action plan for the prevention of violent extremism in accordance with the UN's call to accord a greater role to civil society. The EU encourages a civilian-led approach to P-CVE through engagement with local communities, including youth, women and religious leaders. It seeks to be at the forefront of encouraging its partners to act against hate speech, religious intolerance and divisive rhetoric.

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<sup>67</sup> Including with the UN, Global Counterterrorism Forum (GCTF), Financial Action Task Force (FATF), G7 Roma/Lyon Group, the Global Coalition against Da'esh and the OSCE.

<sup>68</sup> Council conclusions on EU external action on counter-terrorism (19 June 2017) <https://www.consilium.europa.eu/media/23999/st10384en17-conclusions-on-eu-external-action-on-counter-terrorism.pdf>

The EU and the UN reinforced their cooperation with the signing of the UN-EU Framework on Counter-Terrorism in New York on 24 April 2019, at the second UN-EU High-Level Political Dialogue on Counter-Terrorism. The framework promotes cooperation on capacity building to counter terrorism and to prevent and counter violent extremism in Africa, the Middle East and Asia. The framework identifies areas for UN-EU cooperation and priorities until 2020. The EU is committed to multilateral cooperation to address the global threat of terrorism in full compliance with the rule of law and international law, including human rights law and international humanitarian law.

The EU is an active member of the Global Counterterrorism Forum (GCTF) and co-chairs, together with Egypt, the Capacity Building in the East Africa Region Working Group. The Working Group provides a forum for regional exchange and networking, including on best practices for P-CVE. The three GCTF-inspired P-CVE institutions (the Hidayah Centre in Abu Dhabi, the Global Community Engagement and Resilience Fund (GCERF) in Geneva and the International Institute for Justice in Malta), co-funded by the EU and inspired by the Global Counterterrorism Forum, mainstream a human rights-based and ‘whole of society’ approach in supporting the development of P-CVE programmes. Through the Strengthening Resilience to Violent Extremism (STRIVE) global programme, the EU works together with the Hidayah Institute and the GCERF to effectively challenge radicalisation and recruitment to violent extremism at local level, while continuing to respect human rights and international law. The Radicalisation Awareness Network (RAN) of EU experts, created to support EU Member States, has also been deployed externally to support, for example, the Western Balkans, Turkey and Tunisia with training workshops focusing on specific issues such as de-radicalisation in prisons, reintegration and rehabilitation post-prison sentence, as well as reintegration of family members and, in particular, children who are not sentenced for terrorist crimes upon return to their country of origin.

Furthermore, the EEAS manages the network of regional CT/security experts deployed in EU delegations in 15 priority countries, some of whom have regional responsibilities such as the EU CT/security expert in the Western Balkans. The network also contributes — via our partners — by locally promoting due respect for the rule of law and human rights while undertaking CT/P-CVE activities. Several civilian CSDP missions including the EU Capacity Building Mission in Mali (EUCAP Sahel Mali) and the EU Advisory Mission in Iraq (EUAM Iraq), support the building of local CT/P-CVE capabilities, with due consideration for human rights and rule-of-law principles.

In the field of humanitarian aid, the EU has been increasingly active within various processes in order to ensure that counter-terrorism measures do not have any undue effect on humanitarian aid activities, and do not limit the space in which humanitarian actors can respond to needs in a principled manner. In November 2019, through Council conclusions on humanitarian assistance and international humanitarian law, the EU undertook to seek to avoid any potential negative impact of counter-terrorism on humanitarian action and encouraged the Member States to ensure that domestic counter-terrorism measures and restrictive measures are in accordance with international humanitarian law.

## 15. HUMAN RIGHTS THROUGHOUT KEY EU EXTERNAL POLICIES

### Mobility, Migrants, Refugees and Asylum Seekers

Protecting and upholding human rights and fundamental freedoms remained at the core of EU asylum and migration policies in 2019. The EU continued to protect and promote these rights through existing policy and legislative frameworks. The EU continued to work inside and outside the EU, in close cooperation with its Member States and partner countries, international partners, civil society organisations and local communities to protect the rights of refugees and IDPs, to address human rights challenges associated with migrant smuggling and trafficking in human beings, and to address the root causes that force people to leave their homes in the first place.

The EU emphasised the need to work with all our partners around the world, including in the framework of the United Nations, because migration and forced displacement require global, cooperative alliances with countries of origin, transit and destination and international organisations. In December 2019, the EU Commissioners for Crisis Management, Janez Lenarčič, for Neighbourhood and Enlargement, Olivér Várhelyi, and for International Partnerships, Jutta Urpilainen, attended the first ministerial-level Global Refugee Forum. This global event – with over 400 delegations of states, the private sector and NGO representatives and over 840 pledges in the areas of education, clean energy, jobs and livelihoods, voluntary return and resettlement – served to catalyse whole-of-society approaches to refugee situations, in support of host countries, refugees and their host communities. The EU showcased its significant engagement and support to refugee situations worldwide between 2016 and 2019, in line with the EU approach to forced displacement, including the creation of new tools and instruments, such as the EU Facility for Refugees in Turkey, the Madad Trust Fund and the EU Emergency Trust Fund for Africa; the commitment to policy efforts towards self-reliance and livelihoods; the continuation of the 10% target for education in emergencies in humanitarian aid; the significant financial and operational support to Member States' protection capacities; the protection of children along the migratory routes, and age, gender and disability considerations; the intention to strengthen efforts to green humanitarian and development responses and reduce the climate and environmental footprint; and the continuation of the EU support to resettlement in 2020, with EU funding to support EU Member States to resettle around 30 000 refugees. The EU co-sponsored four of the six priority areas included on the agenda of the Global Refugee Forum, namely burden and responsibility-sharing; education; jobs and livelihoods; and solutions.

In our relations with partner countries, the EU continued to underline the importance of compliance with international refugee law, respect for human rights law, the protection of the rights of migrant workers, upholding international legal standards to address trafficking in human beings, and the protection of migrants, asylum seekers and refugees against abuses, including discrimination, racism and xenophobia.

Building on past initiatives, the EU's policies generated clear results for the promotion and protection of migrants' human rights. The trilateral African Union-European Union-United Nations (AU-EU-UN) Task Force created in November 2017 in the margins of the AU-EU Summit in Abidjan continued its work to address the situation of migrants and refugees in Libya. Between the beginning of 2017 and the end of 2019, through joint efforts with the IOM and UNHCR, and with the support of the AU and the African consulates concerned, over 50 000 people were able to return home with reintegration support. Around 5 500 persons of concern were evacuated from Libya in preparation for their resettlement or other long-term solutions. In 2019, we continued our efforts to improve the dire situation of migrants, asylum seekers and refugees stranded in Libya who have been exposed to even greater risk following the renewed outbreak of the conflict. This included the provision of assistance at disembarkation points, at detention centres when access is possible, and support to host communities, as well as promoting alternatives to detention. In addition to the Emergency Transit Mechanism (ETM) in Niger, a new ETM was created in Rwanda. As of 7 November 2019, 189 migrants had been evacuated from Libya to Rwanda. The EU is supporting the Rwanda ETM with EUR 10.3 million.

In Libya, the EU aims to enhance the government's capacity to contribute to maritime security, including the ability to coordinate and execute search and rescue operations in line with international standards and obligations. This support includes the Seahorse Mediterranean Network project, a project to support integrated border and migration management in Libya in the framework of the EU Trust Fund for Africa, and the training support provided by Operation Sophia. After a thorough vetting procedure, Operation Sophia trained 555 Libyan coastguards in order to enhance their capacity to carry out search and rescue operations at sea. An essential component of the training is dedicated to international humanitarian law and human rights, delivered jointly with the IOM and UNHCR.

Since migrants en route to Europe continue to undertake dangerous journeys, the EU has established concrete operations to help persons in distress at sea. By the end of 2019, EU operations had contributed to saving approximately 700 000 lives. The EU's operations also allowed us to combat human traffickers and smugglers. This was notably the case of Operation Sophia, which contributed to the arrests of many suspected smugglers and traffickers and neutralised hundreds of assets.

Conflicts, violence, poverty and lack of socio-economic opportunities, environmental degradation, climate change and natural and human-made disasters continued to drive people to flee their homes. By the end of 2018, the total number of forcibly displaced persons stood at 70.8 million worldwide. As a global player, the EU acted to tackle and solve crises through diplomatic and other means. As the leading aid donor in the world, we provided humanitarian assistance and support to refugees, asylum seekers and internally displaced people in the majority of displacement crises. Our support reached those displaced by long-standing conflicts, from Afghanistan and Syria to Colombia to the Horn of Africa, while responding to emerging crises, such as the displacement from Venezuela.

The EU has been at the forefront of the response to the Venezuelan refugee and migration crisis, one of the biggest crises in the world, with 4.8 million Venezuelans having left their country by the end of 2019. In 2018/2019, the EU had mobilised around EUR 172 million in humanitarian and development aid inside and outside Venezuela, including EUR 89 million in humanitarian assistance. The majority of EU humanitarian funds have been used inside Venezuela as the epicentre of the crisis, but support has also been provided to Venezuelan migrants and refugees, as well as to host communities in neighbouring countries. EU support includes emergency shelter, medical assistance, child protection, and prevention of child trafficking and sexual abuse. All EU activities are coordinated along the humanitarian-development-peace nexus. The EU also provides technical assistance to administrations of neighbouring countries on migration management, social protection and employment challenges in the region. The EU also supports regional coordination efforts and participates in the Quito Process meetings.

On 28-29 October 2019, HR/VP Mogherini, together with UN High Commissioner for Refugees Filippo Grandi and IOM Director General António Vitorino, co-chaired the international solidarity conference on the Venezuelan refugee and migrant crisis. The conference was attended by more than 500 participants from 120 delegations, including the most affected Latin American and Caribbean countries, donor countries, EU institutions and Member States, UN agencies, the private sector, NGOs, civil society organisations and development actors including international financial institutions. The event acknowledged that the serious and deteriorating political, human rights and socio-economic crisis in Venezuela has produced one of the most severe displacement crises in the world. It also recognised the effort made by the host countries, including through the coordinated response framed by the Quito process. Finally, it confirmed the need for a substantial funding increase and expressed support to the creation of the Group of Friends of the Quito process, chaired by the EU.

In response to the crisis in Syria, the EU and its Member States allocated over EUR 17.209 billion to provide assistance inside Syria and to assist those who fled to neighbouring countries and need support to access education and healthcare and meet their basic needs. In an effort to support Turkey in hosting 3.7 million Syrian refugees, the Facility for Refugees in Turkey<sup>69</sup>, set up in February 2016 with a total budget of EUR 6 billion for 2016-2019, focused on protection, education, health, municipal infrastructure, and socio-economic support. To date, the full budget of EUR 6 billion has been allocated.

In 2019, the EU provided EUR 36 million for the Rohingya humanitarian crisis in Bangladesh and Myanmar/Burma, in the form of basic services, protection and preparedness for monsoon and cyclone-related disasters. From 2017 to 2019, the EU disbursed over EUR 150 million in humanitarian and development assistance to respond to the crisis in Bangladesh and Myanmar/Burma.

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<sup>69</sup> [The EU Facility for Refugees in Turkey](#)

With EU development assistance and stabilisation efforts, the EU supported partner countries to improve their capacity to deal with the more long-term and structural root causes of irregular migration and forced displacement. The EU Trust Fund for Africa that complements official EU development assistance, with a general budget of over EUR 4.7 billion, allowed the EU and its Member States to work jointly with African partners faster and with more flexibility, resulting in greater efficiency. The projects under the Trust Fund, implemented in the Sahel and Lake Chad, the Horn of Africa and the regions in the North of Africa, focused on the creation of jobs and economic development; better migration management, including international protection and asylum, legal migration and mobility; and enhancing synergies between migration and development.

The external dimension is an integral part of the EU policy framework to address trafficking in human beings and is one of its pillars. Trafficking in human beings is a complex phenomenon that continues to be systematically addressed in key policy instruments, ranging from security to migration, justice, equality, anti-discrimination, fundamental rights, employment, and development. The EU policy framework to address trafficking in human beings has an important external dimension. As a result, addressing trafficking in human beings is also embedded in many EU external policies, agreements, partnerships and dialogues with non-EU countries, such as — amongst others — the Khartoum and Rabat processes.

New projects have been undertaken in partner countries and regions through the start of the UN Office on Drugs and Crime (UNODC)-led regional programmes in North Africa ('Dismantling the criminal networks operating in North Africa and involved in migrant smuggling and human trafficking') and Asia and the Middle East ('Global Action against Trafficking in Persons and the Smuggling of Migrants - Asia and the Middle East'). In Niger, a joint investigation team bringing together Nigerien, French and Spanish authorities has led so far to 288 judicial cases. New projects with Senegal and Guinea were developed in 2019 to support these partner countries' efforts to fight trafficking in human beings, and migrant smuggling. Tackling migrant smuggling and enhancing border management were also key parts of the work of CSDP missions and operations, such as Operation Sophia (EUNAVFOR Med) and the EU integrated border management assistance mission in Libya (EUBAM Libya).

The EU-UN ‘Spotlight Initiative’ to eliminate all forms of violence against women and girls, funded by the EU with a budget of EUR 500 million, was launched in 2017 together with its first project ‘Safe and Fair’. With financial support of over EUR 25 million, the regional project ‘Safe and Fair’ contributes to improving labour migration conditions for women in the ASEAN region. Together with UN Women and the ILO, the EU works with governments, community-based organisations, civil society and service providers to improve labour laws and access to information and services, and to prevent and put an end to violence and trafficking of women and girls. Between 2017 and 2019, Safe and Fair reached more than one million people through its public campaigns, provided information to more than 5 000 female migrant workers and their families and trained more than 700 people. Safe and Fair’s work is helping to change the narrative around female migrant workers in the ASEAN region, shifting negative perceptions and challenging deep-rooted gender stereotypes.

#### **Connecting women migrant workers to a wider movement: Safe and Fair reaches women online and amplifies voices**

The Safe and Fair Programme has now reached 1 191 164 people through public campaigns. Namwaan (alias), a migrant worker from Myanmar/Burma living in Thailand, initially worked in textile manufacturing, where her hours were long and her wages meagre, and she saw her colleagues experience violence. Then she saw a video about the Safe and Fair Programme. Namwaan felt the video spoke on her behalf and connected her to a wider movement. She made contact with the Programme and shared her story for the November 2019 Safe and Fair photo exhibition ‘Extraordinary Women: Journeys out of the Ordinary’. On 3 December 2019, she took her priorities for change to over 100 policy makers, employers and trade unionists at the inter-regional meeting ‘Labour Mobility between Asia and the Arab States’.

‘I am glad that people have not forgotten about us, and there are some people who are working to protect our rights. Millions of women migrant workers will benefit from Safe and Fair, and there will be more and more women with decent work that is free from violence.’

## Trade

Together with other EU external policies, our trade policy effectively contributes to promoting and protecting human rights in third countries, *inter alia* through the EU's GSP, bilateral free trade agreements (FTAs) and efforts to promote torture-free trade worldwide.

In 2019, human rights were addressed as a key topic in the context of the unilateral trade preferences that the EU provides to developing countries within the GSP. Countries that appeared unwilling to address human rights challenges were subject to increased scrutiny. In particular, the EU continued with the process of 'enhanced engagement' with Bangladesh, Myanmar/Burma and Cambodia:

- The EU's engagement with Bangladesh focused on compliance with the ILO's international labour standards. During a monitoring mission in October 2019, Bangladesh agreed to develop a roadmap with timelines to improve its labour rights situation, notably through the alignment of the Bangladesh Labour Act, the Bangladesh Labour Rules and the Export Processing Zone Act Ordinance with the requests of the ILO supervisory mechanism, through combatting violence against workers and anti-union discrimination and through taking necessary measures to eliminate child labour by 2025.
- With regard to Myanmar/Burma, concerns over human rights and labour rights were raised during high-level monitoring missions in February 2019. Discussions continued during the first ever EU-Myanmar/Burma Senior Officials Meeting in May 2019 and the human rights dialogue co-chaired by the EU Special Representative for Human Rights in June 2019. The concerns over labour rights refer in particular to forced labour used by the military (Tatmadaw), to child labour and to violations of freedom of association.
- Lack of progress on human and labour rights in Cambodia led to the start of a procedure to partially withdraw EU trade preferences under the GSP.

In the context of the EU's bilateral FTAs (in particular as part of their 'trade and sustainable development' chapters) the year 2019 saw increased efforts to improve the effective implementation of the labour rights enshrined in fundamental ILO conventions:

- The EU requested consultations with the government of the Republic of Korea in relation to commitments made in the EU-Republic of Korea FTA to (i) respect the ILO core principle of freedom of association and (ii) make sustained and continuous efforts to ratify the four fundamental ILO conventions that Korea had not yet ratified (on forced labour and the freedom of association and collective bargaining). In July 2019, the EU requested the establishment of a panel of experts under the dispute settlement procedure provided for in the trade and sustainable development chapter of the FTA.
- The EU engaged with Vietnam to promote 'early implementation' of trade and sustainable development commitments under the EU-Vietnam FTA. In 2019, Vietnam ratified one of the fundamental ILO conventions (C98 on collective bargaining) that it had not yet ratified and provided timelines for the ratification of two others (C87 on freedom of association, in 2023, and C105 on forced labour, in 2020). Vietnam also continued internal work on labour reform, most notably by introducing a new labour code that allows – in principle – independent Workers Representative Organisations at enterprise level. The EU will engage with Vietnam to ensure that the country is meeting its commitments to take the necessary measures to respect the ILO fundamental principles and rights at work, including on freedom of association and to eliminate child labour by 2025.
- On issues related to freedom of association, child labour, forced labour and labour informality, the EU also continued its dialogue with Colombia, Ecuador and Peru. In Colombia, discrimination against trade unions and violence against trade union leaders was consistently raised as a concern. For all three countries, the EU monitored progress in strengthening labour inspections. In January 2019, an EU-financed technical assistance project to improve labour inspection capacity in the rural parts of Colombia was launched by the ILO.

- The EU also continued to engage with Central American countries on key labour issues including child and forced labour, violence against trade unionists, freedom of association and equal pay for equal work. In Honduras, a tripartite group of employers, workers and civil society developed a process for the prevention and eradication of child labour under a national plan of action. In El Salvador, the High Labour Council (consisting of representatives of the government, employers, and trade unions) was re-established.

In the same vein, the European Commission started implementing a ‘Trade for Decent Work’ project with the ILO. It provides capacity building and ad hoc support on labour rights and promotes corporate social responsibility/responsible business conduct in countries the EU trades with. In 2019, the project supported labour-related activities in Bangladesh, Myanmar/Burma, Peru and Vietnam and training for EU national contact points on responsible business conduct.

Finally, in the context of the Global Alliance for Torture-Free Trade<sup>70</sup> – which the EU, together with Argentina and Mongolia, launched in 2017 – the UN General Assembly adopted an important resolution in June 2019 to examine the feasibility and scope of possible international standards regarding the import, export and transfer of goods used for torture and the death penalty.

## Development Cooperation

Human rights and democracy were key elements of the internal assessments of countries and regions that were carried out in preparation for implementing the next multiannual financial framework (MFF). These assessments are comprehensive and determine the objectives of the EU’s political, economic and development cooperation, which the EU will seek to attain jointly with the Member States.

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<sup>70</sup> Alliance for Torture-Free Trade <http://www.torturefreetrade.org/>

In its bilateral development cooperation, the EU continued to mainstream its rights-based approach to promote human rights, democracy and the rule of law. Thereby, the EU, together with its Member States, delivers on its commitment to integrate all human rights, civil and political, as well as economic, social and cultural, into development cooperation. This helps the EU to foster the principles set out in the treaties, i.e. indivisibility of human rights, respect for human dignity, and equality, democracy and the rule of law, and contributes to implementing the 2030 Agenda, in line with the new European Consensus on Development, adopted in June 2017, and with the principles of the Global Partnership for Effective Development Co-operation<sup>71</sup> (in particular transparency, accountability, inclusive partnerships and local ownership).

Integrating human rights and democracy in development cooperation and promoting them through a rights-based approach also helps build resilient and sustainable societies and reduce the potential for conflict. This approach is of central importance as it helps to deliver on the EU priority focused on conflict prevention contained in the Global Strategy for the European Union's Foreign and Security Policy, adopted in 2016. Experience has shown that one of the keys to preventing societies from descending into crisis and violent conflict is to underpin their resilience by ensuring respect for all human rights and the rule of law, and by investing in inclusive and sustainable development.

Thus, in line with Goal 16 of the 2030 Agenda for Sustainable Development, through its development cooperation instruments, the EU also continued to help build strong, transparent and accountable institutions, independent and impartial courts, and support the provision of fair justice, access to legal assistance and initiatives to tackle corruption. These are considered pivotal elements to promote human rights, democracy, the rule of law, inclusion, participation, non-discrimination and gender equality.

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<sup>71</sup> Busan Partnership for Effective Development Co-operation Fourth High Level Forum on Aid Effectiveness, Busan, Republic of Korea, 29 November-1 December 2011.

Civil society are indispensable partners in building just, equitable and resilient societies, both as implementing partners, as development actors in their own right, and as watchdogs and advocates to defend human rights, democracy and the rule of law. The EU and its Member States offer significant political, financial and technical support to civil society. Efforts include strengthening the capacities of civil society actors and the enabling environment for their work, pushing back against the shrinking space for civil society and supporting HRDs.

In multilateral fora, the EU took on a leading role in support of the 2030 Agenda, including its important goals and targets related to democracy and human rights. This was marked at the UN High-Level Political Forum in July 2019, where the EU presented the state of play of its efforts to implement the 2030 Agenda externally as well as internally, based on key documents, including the EU synthesis report, the Commission reflection paper ('Towards a Sustainable Europe') and the relevant Council conclusions. The EU's leading role was further reflected at the SDG Summit in September 2019, where the EU played a key role in shaping the political declaration. The EU led the charge for ambition and action, reflecting on the priorities of the next Commission with regard to further mainstreaming SDGs in EU external and internal policies.

In addition, the EU started piloting a process on integrated national financial frameworks in cooperation with the UN, the World Bank and the IMF. These frameworks will help mobilise and track resources in support of implementing the 2030 Agenda.

## 16. EU INSTRUMENTS

### Human Rights Guidelines

The EU has adopted 13 sets of guidelines, which set out priority areas for external action. The guidelines represent a strong political signal about the Union's priorities. The guidelines are updated regularly, and serve as a practical tool when implementing EU human rights priorities at local level. In the first half of 2019, the Council adopted EU Human Rights Guidelines on Non-Discrimination in External Action<sup>72</sup>, as well as EU Human Rights Guidelines on Safe Drinking Water and Sanitation<sup>73</sup>. In the second half of 2019, the Council adopted revised Guidelines on EU Policy towards Third Countries on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>74</sup>

The following guidelines have so far been adopted by the Council:

- EU Human Rights Guidelines on Non-Discrimination in External Action (2019)
- EU Human Rights Guidelines on Safe Drinking Water and Sanitation (2019)
- Guidelines to EU Policy towards Third Countries on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment - an update of the guidelines (2019)
- EU Guidelines on the Promotion and Protection of the Rights of the Child - Leave no Child Behind (2017)
- EU Human Rights Guidelines on Freedom of Expression Online and Offline (2014)
- EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief (2013)

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<sup>72</sup> EU Human Rights Guidelines on Non-Discrimination in External Action  
<http://data.consilium.europa.eu/doc/document/ST-6337-2019-INIT/en/pdf>

<sup>73</sup> EU Human Rights Guidelines on Safe Drinking Water and Sanitation  
<https://www.consilium.europa.eu/media/39776/st10145-en19.pdf>

<sup>74</sup> Guidelines on EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment - an update of the guidelines  
<https://www.consilium.europa.eu/media/40644/guidelines-st12107-en19.pdf>

- Guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons (2013)
- EU Guidelines on the Death Penalty: revised and updated version (2013)
- EU Guidelines on promoting compliance with International Humanitarian Law (IHL) (2009)
- EU Guidelines on human rights dialogues with third countries – update (2008)
- EU Guidelines on Children and Armed Conflict (2008)
- Ensuring protection – EU Guidelines on Human Rights Defenders (2008)
- EU Guidelines on violence against women and girls and combating all forms of discrimination against them (2008).

## **Human Rights and Democracy Country Strategies**

These strategies are prepared by EU delegations and Member States' missions, following close consultation with relevant interlocutors based on a political and operational analysis of the human rights situation in a given country. They identify key strategic priorities for EU action on human rights and democracy, define long- and short-term key objectives, and set out concrete actions to advance human rights and democracy in a specific country. 128 country strategies covering the period 2016-2020 are being implemented. Among these strategies, the rule of law is the most frequently identified priority, followed by women's rights and democracy. These strategies and their annual implementation reports constitute an essential tool in ensuring policy consistency and in preparing high-level visits and political dialogues.

## **Human Rights Dialogues**

Human rights dialogues constitute a key instrument for enabling the EU to engage bilaterally on human rights, focusing on themes such as gender equality and women's and girls' full enjoyment of human rights, the rights of the child, freedom of expression online and offline, torture and other cruel, inhuman or degrading treatment or punishment, the death penalty, freedom of religion or belief, the rights of persons with disabilities, and the rights of persons belonging to minorities. Cooperation in multilateral fora also features prominently in human rights dialogues. Consultations with civil society are carried out prior to the human rights dialogues, and briefings are held on the outcomes. Dedicated civil society seminars take place back-to-back with many human rights dialogues.

In 2019, the EU held human rights dialogues and consultations with 39 partner countries, and with regional groupings. The 15<sup>th</sup> AU-EU human rights dialogue took place on 19 October 2019 in Banjul, The Gambia, in the margins of the 65<sup>th</sup> ordinary session of the African Commission on Human and Peoples' Rights (ACHPR). The AU and the EU discussed recent developments in Africa and Europe in the area of human rights, notably progress made by AU bodies with a human rights mandate. Both sides reaffirmed the importance of cross-regional cooperation to promote and protect human rights, as well as the importance of mutual learning and exchange of best practices based on shared values and mutual interest. The sixth EU-South Africa structured dialogue forum on human rights, held in November in Brussels, offered an opportunity to exchange views on a wide range of human rights and multilateral issues. In focus were issues related to: racism, racial discrimination, xenophobia and related intolerance; the promotion of economic, social and cultural rights; the fight against torture; women's empowerment and gender equality; human rights defenders; and business and human rights. Both sides have agreed to explore opportunities for joint action in view of the 25<sup>th</sup> anniversary of the Beijing Declaration and Platform for Action in 2020.

On 4 March 2019, the eighth EU-Vietnam human rights dialogue was held in Brussels, which allowed for an open discussion on a wide range of human rights issues related, *inter alia*, to freedom of expression online and offline, cybersecurity, the death penalty, labour rights, the environment, and cooperation within the UN framework.

The fifth EU-Myanmar/Burma human rights dialogue was held in Nay Pyi Taw on 14 June 2019. Discussions covered a number of human rights issues, including accountability for human rights violations and the situation in Rakhine, Kachin and Shan States, including humanitarian access, human rights and fundamental freedoms, the needs of displaced persons, economic and social rights, migration, and human rights cooperation in multilateral fora.

In November, the eighth EU-Indonesia on human rights dialogue was held in Brussels. Topics of mutual interest and concern were addressed, ranging from access to justice to international humanitarian law, from the rights of people belonging to minorities/persons in vulnerable situations, to freedom of expression, freedom of peaceful assembly and association, and cooperation in the UN and other multilateral fora.

The sixth EU-Belarus human rights dialogue was held on 18 June in Brussels, focusing on policy developments, the implementation of the National Human Rights Action Plan in Belarus and the human rights situation in the country. Particular attention was dedicated to the restrictions of the freedoms of expression, assembly and association. The participants also reviewed policies on gender equality and the fight against violence in the family, and the state of their implementation. The EU reiterated its unequivocal opposition to the use of the death penalty at all times and in all circumstances.

The eighth EU-Brazil human rights dialogue, held on 9 October in Brussels, offered an opportunity for a wide-ranging exchange of views on bilateral and multilateral matters, notably strengthening the human rights of women and girls and of members of the LGBTI community, issues of racism and discrimination, the enjoyment of human rights by indigenous peoples, human rights defenders and persons with disabilities.

The fifth high-level political dialogue between Colombia and the EU, held on 15 July in Bogotá, included dedicated dialogue mechanisms for human rights.

In October, the EU hosted the second formal human rights dialogue with Cuba under the EU-Cuba Agreement on Political Dialogue and Cooperation.

Informal human rights dialogues with Gulf countries were also held in Brussels, covering issues of concern such as the death penalty, the right to fair trial and the freedom of expression.

#### **A key step towards the dismantling of the *kafala* ('sponsorship') system in Qatar**

The need to dismantle the *kafala* ('sponsorship') system has been vigorously advocated by the EU in all the informal human rights dialogues with Gulf countries (so far with Bahrain, Kuwait, Qatar and UAE) in recent years. Qatar has been at the forefront of these reforms, making good progress towards upgrading its Labour Law and improving the living conditions of the migrant workers. In 2019, Qatar entered its second year of cooperation with the ILO Office in Doha. This led to new legislation in January 2020 allowing domestic workers to leave Qatar, either temporarily or permanently, during their employment contract, if they desire to do so – meaning that workers who are not covered by the Labour Law, mainly domestic staff, no longer need an exit visa. This measure constitutes another key step towards the dismantling of the *kafala* system that governs the employment of migrant workers, which has historically given employers extensive control over their employees.

Human rights consultations with the United States resumed on 9 December in Brussels, with both parties reaffirming their strong commitment to the democratic principles and human rights as laid down in the Universal Declaration of Human Rights (UDHR). The consultations covered a broad range of issues including gender equality, women, peace and security, freedom of religion or belief including prisoners of conscience, business and human rights, labour rights, trade instruments, and human rights defenders.

In June, the sixth meeting of the EU-Egypt subcommittee took place in Cairo, focusing on bilateral and multilateral cooperation in the areas of human rights, democracy, the rule of law and fighting corruption.

### **European Instrument for Democracy and Human Rights**

In 2019, the European Instrument for Democracy and Human Rights (EIDHR) continued to prove itself to be a unique financing instrument both at EU level and at international level for promoting and supporting democracy and human rights worldwide.

Building on its key strengths, the ability to operate without the consent of the host-state government and a global reach, the EIDHR continued to focus on sensitive issues and difficult situations, using innovative approaches and cooperating directly with isolated and marginalised civil society organisations. In 2019, the EIDHR successfully delivered on its five objectives.

For the first time in 2019, the EIDHR reached its goal of allocating at least 25 % of the funds to objective 1 on support to human rights and human rights defenders in situations where they are most at risk. This ratio was 15 % more than the previous period (2014-2017). 2019 saw the renewal for a three-year period of the EU emergency fund for human rights defenders, thereby ensuring ad hoc support to human rights defenders at risk in a context of rising threats against them and shrinking civic and democratic space in many countries around the globe. A new phase of the ProtectDefenders mechanism, lasting three years and with a total budget of EUR 15 million, started in November 2019, ensuring uninterrupted support to HRDs. A new phase of the EU Emergency Fund, also aimed at providing assistance to HRDs, started in December 2019. Both mechanisms (ProtectDefenders and the Emergency Fund) will be operational until 2022. Moreover, 12 projects were funded in 2019 through the Human Rights Crises Facility, thus supporting human rights in countries where the political and legal contexts are most challenging.

Concerning objective 2 of the EIDHR on support for other EU human rights priorities, the 2018 global call for proposals led to the selection of 11 projects on promoting and protecting the human rights of LGBTI persons and on the abolition of the death penalty, for a total of EUR 17 million. EU funding also facilitates the global participation of indigenous peoples' representatives in the UN human rights fora through support given to the technical secretariat run by the Indigenous Peoples' Centre for Documentation, Research and Information (DOCIP).

The main objective 2 themes selected by EU delegations during 2018-2019 for the implementation of the allocations to their host countries were: women's and girls' full enjoyment of human rights; combating discrimination; economic, social and cultural rights; the death penalty and torture; rights of the child; the environment and human rights; and freedom of religion or belief. The EU continues to support the Indigenous Navigator, which is a data collection framework for and by indigenous peoples to monitor the level of recognition and implementation of their rights.

Support for democracy features as objective 3 of the EIDHR including support for domestic electoral observers, media development projects, projects supporting digitalisation, women and youth participation in politics, as well as support for parliaments and accountable institutions. In 2019 alone, new projects and programmes of an overall value of EUR 7 million were initiated in 14 countries under the EIDHR. Furthermore, the 2019 global call for proposals resulted in the award of grants for projects in Brazil, Cambodia and Central Asia on leveraging digital technologies to increase democratic participation, for a total of EUR 5.2 million.

With regard to EU election observation, under objective 4 of the EIDHR, a total of eight electoral observation missions, seven election expert missions and seven electoral follow-up missions were deployed in partner countries in 2019.

Finally, as per objective 5 on support for targeted key actors and processes, the EIDHR was confirmed to be a major supporter of multilateralism and the key institutions of the human rights architecture worldwide. Throughout 2019, it continued to provide support among others to the OHCHR, the ICC, as well as regional human rights mechanisms and instruments. Furthermore, EIDHR continued to provide support to a global network of universities for human rights education through the Global Campus of Human Rights, with EUR 4.75 million for the academic year 2019-2020.

## **Policy Support Facility of the Partnership Instrument**

In 2019, under the FPI's Policy Support Facility for the Partnership Instrument, the pilot project 'Human rights policy support' was launched with a budget of EUR 1 million for a period of 18 months. This action reinforces the implementation of international human rights standards and best practices by third countries and promotes EU and international shared principles and values.

The project is based on three main objectives: (i) to ensure the appropriate follow-up to political and human rights dialogues with partner countries; (ii) to contribute to bringing together expertise from the EU and partner countries to promote best practices on human rights; and (iii) to support and enhance the monitoring of GSP+/EBA beneficiaries' commitments under the seven GSP core human rights conventions.

Under the human rights facility, a two-day event focusing on the promotion of human rights of LGBTI persons was organised on 24-25 October in Taipei. The aim of this event was to create a network to connect government officials and civil society actors from the region so that they could exchange experiences information about their national gender equality policies and EU best practices on the promotion of the enjoyment of all human rights by LGTBI persons.

On the International Human Rights Day on 10 December 2019, an event was organised to reflect on the rights of the child, non-discrimination and the rights to safe drinking water and sanitation. The storytelling experience offered by the event enabled human rights NGOs, third countries' diplomatic representations and EU officials to network with one another, and a booklet containing the 12 EU guidelines on human rights was distributed to highlight the EU's strong commitment to the promotion of human rights.

## LIST OF ACRONYMS AND INITIALISMS

<b>ACHPR</b>	African Commission on Human and Peoples' Rights
<b>AfCHPR</b>	African Court on Human and Peoples' Rights
<b>AfDB</b>	African Development Bank
<b>AFAWA</b>	Affirmative Finance Action for Women in Africa
<b>AI</b>	Artificial intelligence
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>ASEM</b>	Asia-Europe Meeting
<b>AU</b>	African Union
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CFSP</b>	Common foreign and security policy
<b>CoE</b>	Council of Europe
<b>COHOM</b>	Council Working Party on Human Rights
<b>CoI</b>	Commission of inquiry
<b>CRC</b>	Convention on the Rights of the Child
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>CSDP</b>	Common security and defence policy
<b>CSO</b>	Civil society organisation

<b>CSO-LA</b>	Civil society organisations and local authorities
<b>CSR</b>	Corporate social responsibility
<b>CT</b>	Counter-terrorism
<b>DCI</b>	Development Cooperation Instrument
<b>DOCIP</b>	Indigenous Peoples' Centre for Documentation, Research and Information
<b>DPRK</b>	Democratic People's Republic of Korea
<b>DRC</b>	Democratic Republic of the Congo
<b>ECHR</b>	European Convention on Human Rights
<b>ECOSOC</b>	Economic and Social Council
<b>EDD</b>	European Development Days
<b>EDF</b>	European Development Fund
<b>EEAS</b>	European External Action Service
<b>EEF</b>	East Europe Foundation
<b>EFM</b>	Election follow-up mission
<b>EIDHR</b>	European Instrument for Democracy and Human Rights
<b>EIGE</b>	European Institute for Gender Equality
<b>ENPI</b>	European Neighbourhood and Partnership Instrument
<b>EOM</b>	Election observation mission

<b>EP</b>	European Parliament
<b>ESCR</b>	Economic, social and cultural rights
<b>ETM</b>	Emergency Transit Mechanism
<b>EU</b>	European Union
<b>EUAM</b>	European Union Advisory Mission
<b>EUCAP</b>	European Union Capacity Building Mission
<b>EULEX</b>	European Union Rule of Law Mission
<b>EUSR</b>	EU Special Representative
<b>EUTM</b>	European Union Training Mission
<b>FFM</b>	Fact-finding mission
<b>FGM</b>	Female genital mutilation
<b>FIDH</b>	International Federation for Human Rights
<b>FoRB</b>	Freedom of religion or belief
<b>FPA</b>	Framework partnership agreement
<b>FRA</b>	European Union Agency for Fundamental Rights
<b>FTA</b>	Free trade agreement

<b>G20</b>	The G20 (or G-20 or Group of Twenty) is an international forum for the governments and central bank governors from Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, the Russian Federation, Saudi Arabia, South Africa, Republic of Korea, Turkey, the United Kingdom, the United States, and the European Union.
<b>G7</b>	The Group of Seven or G7 is a group consisting of Canada, France, Germany, Italy, Japan, the United Kingdom and the United States.
<b>GCERF</b>	Global Community Engagement and Resilience Fund
<b>GCTF</b>	Global Counterterrorism Forum
<b>GFP</b>	Gender focal point
<b>GHD</b>	Good Humanitarian Donorship
<b>GRECO</b>	Group of States against Corruption
<b>GRULAC</b>	Group of Latin American and Caribbean Countries
<b>GSP</b>	Generalised Scheme of Preferences
<b>GSP+</b>	Special incentive arrangement for sustainable development and good governance
<b>HDIM</b>	Human Dimension Implementation Meeting
<b>HRC</b>	Human Rights Council
<b>HRD</b>	Human rights defender

<b>HR/VP</b>	High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission (Federica Mogherini; Josep Borrell Fontelles from 1 December 2019)
<b>ICC</b>	International Criminal Court
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination
<b>ICoCA</b>	International Code of Conduct for Private Security Service Providers' Association
<b>ICRC</b>	International Committee of the Red Cross
<b>IcSP</b>	Instrument contributing to Stability and Peace
<b>ICTJ</b>	International Center for Transitional Justice
<b>IGWG</b>	Intergovernmental Working Group
<b>IHL</b>	International humanitarian law
<b>IIM</b>	International, Impartial and Independent Mechanism
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>IPA</b>	Instrument for Pre-accession Assistance
<b>JMD</b>	Jean Monnet Dialogues
<b>LGBTI</b>	Lesbian, gay, bisexual, transgender and intersex

<b>MENA</b>	Middle East and North Africa
<b>MEP</b>	Member of the European Parliament
<b>MFF</b>	Multiannual financial framework
<b>NAP</b>	National action plan
<b>NATO</b>	North Atlantic Treaty Organization
<b>NGO</b>	Non-governmental organisation
<b>NHRI</b>	National human rights institution
<b>OAS</b>	Organization of American States
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OEWG</b>	Open-Ended Working Group
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>OIC</b>	Organisation of Islamic Cooperation
<b>OMCT</b>	World Organisation Against Torture
<b>OSCE</b>	Organisation for Security and Cooperation in Europe
<b>PFD</b>	Policy Forum on Development
<b>RAN</b>	Radicalisation Awareness Network

<b>RBA</b>	Rights-based approach
<b>RBC</b>	Responsible business conduct
<b>P-CVE</b>	Prevention of and countering violent extremism
<b>SDG</b>	Sustainable Development Goal
<b>SE</b>	Special envoy
<b>SGBV</b>	Sexual and gender-based violence
<b>SRHR</b>	Sexual and reproductive health and rights
<b>STRIVE</b>	Strengthening Resilience to Violent Extremism
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UfM</b>	Union for the Mediterranean
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNDIP</b>	United Nations Declaration on the Rights of Indigenous Peoples
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organisation
<b>UNFPA</b>	United Nations Population Fund
<b>UNGA</b>	United Nations General Assembly
<b>UNGPs</b>	United Nations Guiding Principles on Business and Human Rights
<b>UNHCR</b>	Office of the United Nations High Commissioner for Refugees

**UNICEF** United Nations Children's Fund

**UNODA** United Nations Office for Disarmament Affairs

**UNODC** United Nations Office on Drugs and Crime

**UNSC** United Nations Security Council

**UNSCR** United Nations Security Council resolution

**UNSR** United Nations Special Rapporteur

**UNTOC** United Nations Convention against Transnational Organised Crime

**UPR** Universal periodic review

**WHRD** Woman Human Rights Defender

**WPS** Women, peace and security

**YPS** Youth, peace and security



