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Subject: EU Annual Report on Human Rights and Democracy in the World 2018

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Delegations will find attached the EU Annual Report on Human Rights and Democracy in the World 2018 adopted by the Council at its 3688<sup>th</sup> meeting held on 13 May 2019.

**EU Annual Report on Human Rights and Democracy in the World 2018**

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## 1. INTRODUCTION

In 2018 the European Union (EU) remained at the forefront of the protection and promotion of human rights in a rapidly changing geopolitical landscape. The EU engaged in activities across the globe in line with the objectives set out in the EU Action Plan on Human Rights and Democracy (2015-2019)<sup>1</sup>. In a volatile and unpredictable world, the Action Plan has been instrumental in moving forward the human rights agenda.

In this 70<sup>th</sup> anniversary year of the Universal Declaration of Human Rights (UDHR), the EU strongly supported the promotion and protection of human rights at the heart of multilateralism - particularly important at a time which has seen serious negative trends in human rights and democracy around the world. The year saw an increase in threats and violations against journalists and other media workers, further shrinking the space for free journalism. In line with the priorities of the Global Strategy for the European Union's Foreign and Security Policy<sup>2</sup>, the EU continued to firmly oppose any unjustified restrictions of the rights of freedom of association and of peaceful assembly.

This year was not only about human rights challenges and setbacks; there was also positive change. For instance, the EU joined forces with the Organisation of Islamic Cooperation – for the first time ever – to pass a resolution in the Human Rights Council to establish an international accountability mechanism on Myanmar/Burma. In 2018, the EU acted to identify and support positive human rights narratives, building on the vision of a human rights-based 2030 Agenda. The EU-led 'Good Human Rights Stories' initiative launched at the 73<sup>rd</sup> United Nations General Assembly (UNGA) generated broad cross-regional resonance and aims to provide an effective vehicle for positive change in the future.

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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

<sup>2</sup> 'Shared Vision, Common Action: A Stronger Europe – A Global Strategy for the European Union's Foreign And Security Policy', June 2016.  
[https://eeas.europa.eu/archives/docs/top\\_stories/pdf/eugs\\_review\\_web.pdf](https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf)

This report provides a snapshot of the EU's engagement and actions to promote and protect human rights across the globe in 2018. The report focuses on thematic issues using country-specific examples and aims to be useful for all interlocutors.

## 2. EU SPECIAL REPRESENTATIVE FOR HUMAN RIGHTS

In 2018, the EU Special Representative (EUSR) for Human Rights, Stavros Lambrinidis, continued his work to increase the effectiveness, cohesion, and visibility of human rights in EU foreign policy under the authority of the High Representative/Vice-President (HR/VP), Federica Mogherini.

A key priority of the EUSR's work in 2018 was the creation and promotion of a fresh narrative and of enhanced cross-regional alliances to highlight the positive transformative power of human rights. This work was closely coordinated with the EU Member States, the United Nations, select third-country governments and civil society under the direction of the HR/VP, and culminated in the launch at the UNGA high-level week of the 'Good Human Rights Stories Initiative', a seminal EU-facilitated cooperation between 13 countries to address attacks on the universality of human rights through highlighting, supporting and promoting effective human rights-based policies already pursued by different countries across the globe<sup>3</sup>. In this context, the EUSR continued to engage in official visits and other meetings with governments, independent human rights institutions and civil societies, including in Georgia, with the Foreign Ministers of Argentina and Uruguay, and with third-country ambassadors and international civil society in Brussels, Geneva and New York. The initiative highlights the indispensability of the human rights framework both in its own right and in addressing key domestic and international challenges, including sustainable security and development and the promotion of equality, democracy, social resilience and inclusion.

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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 continued his bilateral, regional and multilateral human rights work by visiting and chairing high-level human rights dialogues with Myanmar/Burma and South Africa, and representing the EU in Brussels-based human rights dialogues and other consultations with Mexico, the African Union, and Iran. He also visited the United States to engage with the new administration and policy think-tanks on human rights and to represent the EU at the Ministerial to Advance Religious Freedom organised by the United States. In all his visits the EUSR continued to raise key human rights concerns and to seek the best ways to achieve concrete progress on the ground.

The EUSR further raised the EU's presence and profile through participating in several high-level activities to mark the 70<sup>th</sup> anniversary of the Universal Declaration of Human Rights, the 25<sup>th</sup> anniversary of the Vienna Declaration and Programme of Action, and the 20<sup>th</sup> anniversary of the UN Declaration on Human Rights Defenders. He continued his principled engagement to support and strengthen the multilateral rules-based system and to enhance cooperation with the United Nations, including through strategic meetings with UN Secretary General Guterres and the new UN High Commissioner for Human Rights (HCHR) Bachelet. His official visits and meetings included the UN Human Rights Council in Geneva and the UNGA ministerial week in New York, as well as key regional partners and organisations such as the Council of Europe, the African Union, the Association of Southeast Asian Nations (ASEAN), and the Organisation of Islamic Cooperation (OIC).

The EUSR maintained his strong level of engagement with civil society working in international NGOs and at local level. He continued his advocacy for the protection of human rights defenders against increasing crackdowns and more restrictive laws in certain countries.

The EUSR conducted several dedicated bilateral visits, speaking engagements, academic interactions and attended international conferences to increase the visibility and reach of the EU's human rights policy, in particular focused on key EU thematic priorities including the fight against torture, the abolition of the death penalty, economic, social and cultural rights, business and human rights, freedom of expression and association, freedom of religion or belief, the full enjoyment of all human rights by women, children and LGBTI persons, and accountability for human rights violations.

### 3. EU WORK AT MULTILATERAL LEVEL

Human rights are at the heart of multilateralism and are a strong component of the United Nations (UN) system. In 2018, the EU remained a leader in the universal promotion and protection of human rights at multilateral level, working in particular at the United Nations Human Rights Council (HRC) and at the Third Committee of the United Nations General Assembly (UNGA). It also supported the activities of the Office of the High Commissioner for Human Rights (OHCHR), the Council of Europe (CoE), the Organisation for Security and Cooperation in Europe (OSCE), specialised UN agencies, and other organisations within the UN system such as the International Labour Organisation (ILO).

#### **The EU in United Nations human rights fora**

The EU supports the work of the UN human rights system in addressing human rights abuses and violations, including through country-specific statements and resolutions, commissions of inquiry, fact-finding missions and other special procedures and the Universal Periodic Review (UPR). The EU actively supports all those who act against human rights abuses and violations.

The EU is also committed to implementing the ‘Responsibility to Protect’, preventing and halting human rights violations in atrocity settings. In 2018, together with EU Member States and like-minded partners worldwide, the EU has continued to spearhead thematic and country-specific initiatives in the UN human rights fora. The EU has actively boosted cross-regional cooperation in multilateral human rights fora to ensure strong results in the increasingly difficult context of challenges to multilateral institutions and many negative trends around the world in human rights, democracy and the rule of law. Particularly in light of the 70<sup>th</sup> anniversary of the UDHR, the EU has placed a high priority on promoting and defending the universality and raising the profile of human rights.

## 73<sup>rd</sup> session of the UN General Assembly (UNGA), Third Committee

The session of the Third Committee of the UN General Assembly<sup>4</sup> in October and November 2018 was very successful in terms of EU priorities. EU and EU Member State resolutions performed well with an increased number of votes in favour or were adopted without a vote in spite of challenging circumstances. Together with the OIC, the EU presented a resolution on human rights in Myanmar/Burma, supporting efforts towards accountability for the grave and reliably attested human rights violations in the country. The resolution on the rights of the child presented by the EU and a group of Latin American countries and the EU-led resolution on freedom of religion or belief were also adopted by consensus. The EU-Japan resolution on the situation of human rights in the Democratic People's Republic of Korea (DPRK) was adopted without a vote, calling on the DPRK authorities to immediately end human rights violations and to engage with the UN human rights system. The EU also gave its support to the important resolutions on the situation of human rights in Syria, Crimea and the city of Sevastopol, and Iran. The EU actively supported the biennial resolution on a 'moratorium on the death penalty' presented by the interregional task force chaired by Brazil, which was adopted with more support than in 2016.

As usual the EU participated in most of the 60 interactive dialogues with UN Special Procedures mandate holders, and delivered nine 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 2018

In 2018, the EU continued to play a leading role at the Human Rights Council both by advancing thematic priorities and addressing country situations of concern through EU-led resolutions and statements and by working cross-regionally and supporting action by others. Throughout the year the EU also strongly supported the HRC President in a cross-regional process aimed at strengthening the methods of work and enhancing the efficiency of the HRC, leading to the adoption of a package of agreed measures at the organisational meeting of the HRC in December.

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<sup>4</sup> All resolutions adopted can be found on the [UN webpage](#).



Throughout the 37<sup>th</sup> session of the Human Rights Council in March 2018, the EU reiterated its long-standing position that all human rights are universal, indivisible, interdependent and interrelated. The EU spearheaded four resolutions, underlining the EU's strong commitment to remaining very active in, and supportive of, UN human rights fora. The resolution on the human rights situation in the DPRK, led by the EU and Japan, extended the mandate of the Special Rapporteur. The EU-led resolution on the human rights situation in Myanmar/Burma received strong cross-regional support with over 100 countries co-sponsoring the text, including all Member States of the OIC. The resolution renewed the mandate of the Special Rapporteur and provided additional resources allowing the Independent International Fact Finding Mission (IFFM) to undertake the essential compilation of all evidence of human rights violations. On the thematic side, the EU, together with partners from all over the world, continued to build on its initiative on the freedom of religion or belief. The EU-led resolution, adopted by consensus, focused on the importance of implementing states' commitments undertaken at previous UN human rights fora. The EU, jointly with the Latin American and Caribbean Group (GRULAC), also presented a resolution on the rights of the child, focusing on the protection of children in the context of humanitarian situations.

At the 38<sup>th</sup> session in June 2018, the EU spoke out on the issues of gender equality, the full enjoyment of all human rights of women and girls and their empowerment. The EU actively participated in the negotiations of all gender-related resolutions presented at HRC38, including on violence against women, discrimination against women and the resolution by the African Group on female genital mutilation. Ambassador Mara Marinaki, the European External Action Service (EEAS) Principal Advisor on Gender and on the implementation of UN Security Council Resolution (UNSCR) 1325, ensured a strong voice for the EU in these debates. The EU-led resolution on the situation of human rights in Belarus, which renewed the mandate of the Special Rapporteur, was adopted with a greater number of votes in favour than in previous years.

The major success of the 39<sup>th</sup> session in September 2018, reflecting the EU's active and continuous efforts to seek new partnerships and work cross-regionally to protect human rights, was the adoption of the EU-OIC led resolution on Myanmar/Burma. The EU and the OIC presented their first joint resolution at the HRC, following up on the very grave findings contained in the final report of the Independent International Fact-Finding Mission on Myanmar. The resolution, supported by over 100 countries, establishes an independent mechanism to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law in Myanmar/Burma. Given the continuing grave human rights situation, the EU also presented a resolution on Burundi, which renews the mandate of the Commission of Inquiry (CoI), allowing it to intensify its investigations. In light of the continuing deteriorating human rights and humanitarian situation in Yemen, the EU supported the resolution on Yemen which renews the existing mandate of the Group of Eminent Experts. As in other HRC sessions in 2018, the EU continued to support the Council's resolute action on human rights violations in Syria.

The EU also participated in 28<sup>th</sup> special session of the HRC on the deteriorating situation of human rights in the occupied Palestinian territory, including East Jerusalem, which was held on 18 May 2018.

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

In relation to the Organisation for Security and Cooperation in Europe (OSCE), the EU continued to engage in dialogue and cooperation within the 'human dimension' of the OSCE's comprehensive security concept.

The EU actively participated in all human dimension events, namely the Human Dimension Implementation Meeting (HDIM) from 10 to 21 September 2018 and the Supplementary Human Dimension Meetings, as well as in all the meetings of the Human Dimension Committee. At the HDIM, the EU spoke at all sessions, participated in side-events and held bilateral meetings with civil society representatives. The EU actively pleaded for the open and broad participation of civil society organisations (CSOs) in OSCE events.

In the OSCE Permanent Council, the EU addressed several issues, marking for instance World Press Freedom Day, the International Day against the Death Penalty, and the International Day for the Elimination of Violence against Women, and raised individual human rights cases.

For the first time since 2014, the OSCE Ministerial Council adopted a landmark decision in the human dimension, namely on safety of journalists, as well as a cross-dimensional decision, with a strong human dimension component, on preventing and combating violence against women. The EU played a key role in the negotiation process leading to its adoption by consensus.

The EU continued to fully support the valuable work of the OSCE's autonomous institutions (the Office for Democratic Institutions and Human Rights (ODIHR) and the Representative on Freedom of the Media and High Commissioner on National Minorities). As regards election observation, the EU and the OSCE share common goals, standards and a similar methodology. The ongoing efforts to strengthen the methodology for the observation of the use of new technologies in the electoral process and on the follow-up of recommendations of election observation missions (EOM) are examples of cooperation on democracy support and the promotion of human rights. 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 the elections-related recommendations in the Western Balkans, and to build a comprehensive justice system to respond to hate crimes. The EU is also the major donor of an OSCE Survey on the Well-being and Safety of Women.

In June 2018 the EU moved to further strengthen its cooperation with the OSCE, by an exchange of Letters between the Secretary Generals of the European Commission, the EEAS, and the OSCE. The first high-level meeting was held in December 2018 with participation from the OSCE autonomous institutions and discussed strategic areas of ongoing and potential EU-OSCE cooperation, including election monitoring, conflict prevention, Women, Peace and Security agenda and preventing/countering transnational threats.

## The EU in the Council of Europe

In 2018, the Council of Europe (CoE) faced unprecedented challenges caused in particular by the absence of Russia's delegates from the Council's Parliamentary Assembly, infringement proceedings against Azerbaijan for the non-implementation of rulings of the European Court of Human Rights, and Turkey's decision to discontinue its status as a major contributor to the budget.

The EU continued supporting the Council of Europe in defending and promoting human rights, democracy and the rule of law. Our partnership 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, the Eastern Partnership and Southern Mediterranean countries continued 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.

Throughout its relations with the CoE, the EU continued to foster cooperation with civil society, to mainstream gender equality and women's empowerment into all areas, to promote effective youth policies, education and training as well as 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.

In 2018 progress was made in a number of areas of EU-CoE cooperation. The Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108) was adopted and opened for signature which opens the Convention for accession by the EU as soon as the modernised Convention enters into force. The EU and the CoE have also increasingly explored opportunities to work together on 'new challenges' such as artificial intelligence (AI).

## The EU in the International Labour Organisation

In 2018, the EU actively participated in the 107<sup>th</sup> session of the International Labour Conference in particular on violence and harassment in the world of work in view of a Convention and a Recommendation to be adopted in 2019. The conference recognised that there is indeed a gap in international law in this regard. Pertaining to social dialogue, the conference acknowledged that there is a need for a new framework for action and effective International Labour Organisation (ILO) development cooperation in support of the Sustainable Development Goals. In this respect, the EU continued to support the ILO's work in order to empower the most vulnerable communities through development cooperation projects such as the Indigenous Navigator, which provides a community-based framework to monitor indigenous peoples' rights (EUR 1.2 million) or its work with EU trading partners to effectively implement international labour standards. Furthermore, the EU contributed to the work of the ILO's standard supervisory mechanisms on compliance with the Declaration on Fundamental Principles and Rights at Work. The EU also actively participated in the work of the ILO Governing Body, including on the application of the reform of the UN Development System and the preparations for the centenary of the ILO in 2019, centred on the future of work.

## 4. DEMOCRATIC GOVERNANCE

In line with its founding values of respect for democratic principles, the rule of law, human rights and fundamental freedoms, the EU continued to reaffirm its commitment to democracy. EU democracy support focused on strengthening representative and participatory democracy, political pluralism, transparency and the accountability of institutions, creating space for civil society, and protecting civil and political rights. This was done through regular political dialogues with partner countries, by building partnerships with regional and international organisations, and cooperation programmes supporting parliaments, political parties, civil society and democratic governance.

Contracts for cooperation projects in support of democratic governance and participation in 2018 totalled EUR 115 million. A new global project to strengthen the capacity of parliaments through the expertise of the parliaments of EU Member States was launched in 2018. As regards political parties, implementation of the five projects awarded under the ‘Pilot programme to strengthen political parties’ progressed in 2018 and contributes to strengthening women’s role in political parties and to levelling the playing field of multi-party systems in Malawi, Bolivia, Morocco, Benin, Paraguay, Mongolia, Moldova, Tunisia, Georgia and Kyrgyzstan.

Growing threats to democracy and the rules-based international order featured prominently in 2018. The EU has focused on developing effective ways to address negative trends such as shrinking democratic space, including for civil society, disinformation campaigns, attempts to undermine electoral integrity, the abuse of big data and decreasing trust in democratic institutions. The EU has been discussing ways to capitalise on the democratising potential of information and communication technologies (ICTs), while mitigating the risks associated with technology. The International Day of Democracy conference, the CivicTech4Democracy competition and a High-Level Conference on the Future of International Election Observation (see box) were organised to feed into the development of appropriate responses to some of these challenges. In November 2018 the EU launched a European Instrument for Democracy and Human Rights (EIDHR) Global Call for Proposals<sup>5</sup> for projects supporting civic activism and participation by leveraging digital technologies. Under the European Neighbourhood Instrument (ENI), the EU continued to support the European Endowment for Democracy, a grant making organisation that provides fast and flexible funding to local civic and political pro-democracy actors.

In 2018, the European Parliament continued to support parliaments and parliament-related players, focusing its assistance primarily on parliaments in neighbourhood and pre-accession countries. Best parliamentary practices for MPs and officials were exchanged on a wide range of topics including parliamentary oversight, parliamentary rules of procedure and code of conduct, the work of committees and the plenary, human rights, and the empowerment of women in political life.

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<sup>5</sup> <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome&nbPubliList=15&orderby=upd&orderbyad=Desc&se archetype=RS&aofr=161054>

The Jean Monnet Dialogues for peace and democracy - which focus on fostering a parliamentary culture of dialogue - continued with the Verkhovna Rada of Ukraine and the first Dialogue with the Sobranie in the Republic of North Macedonia took place in 2018. A ‘high-level roundtable on the European integration process of the Western Balkans in a regional perspective’ gave political group leaders of the Western Balkan parliaments the opportunity to hold discussions with high-profile MEPs on the progress and expectations of the Western Balkan region regarding their countries’ EU integration. To complement the EP’s efforts in the Western Balkans, the Young Political Leaders Programme, together with the European Commission, organised a high-level dialogue in Skopje on youth political participation and youth policy with young MPs and civil society from across the Western Balkans.

**A High-Level Conference on the Future of International Election Observation** was jointly organised by the European External Action Service, the European Commission and the European Parliament in October 2018. Through a series of panel debates, over 400 participants addressed the major challenges confronting election observation and the integrity of democratic elections, namely the rising use of information technology in elections management, the challenge posed by the misuse of social media and disinformation and how to prevent electoral violence. A number of recommendations that emerged from the conference will be taken forward by the EU institutions. The conference also addressed how to strengthen trilateral co-operation (EU/AU/UN) in this area and generated support for a joint code of conduct for the different parliamentary assemblies involved in observation.

In 2018 the EU continued to deploy election missions and has considerably strengthened their follow-up as an integral part of the wider support for democratic processes, including by using their recommendations in the programming of cooperation projects. This comprehensive, tailor-made approach is central to the EU’s support to democratic governance.

In 2018, nine Election Observation Missions (in Lebanon, Sierra Leone, El Salvador, Paraguay, Tunisia, Pakistan, Zimbabwe, Mali and Madagascar) and nine Election Expert Missions (in Iraq, Timor Leste, Colombia, Guinea, Nigeria, Mozambique, São Tomé e Príncipe, Bangladesh and Afghanistan) were deployed in partner countries.

EU EOMs make an independent assessment of electoral processes. They offer recommendations related to the electoral framework, its implementation and the electoral environment for transparent, inclusive and credible elections. More broadly, the recommendations can be a crucial element in the deepening of democracy, support to human rights and sustaining peace in partner countries. They address key issues including civil and political rights, the participation of women and youth in political processes, the freedom of expression and the freedom of the media.

The EU undertakes a wide range of actions to advance the effective implementation of EOM recommendations, including political and human rights dialogues with authorities, public diplomacy, work in multilateral fora, cooperation programming, and the deployment of purpose-designed visits and missions such as election follow-up missions (EFMs).

In line with the Council conclusions on the follow-up to the EOM recommendations of May 2018<sup>6</sup>, an increased number of EU EFMs were deployed in 2018 (Burkina Faso, Maldives, Uganda, Jordan and Haiti) in order to assess, on the one hand, the extent to which EU EOM recommendations were implemented and, on the other hand, to promote progress towards enhancing all aspects of democracy (see case study).

The EU also supported local election observers in eight countries<sup>7</sup>. Methodologies were developed to support the monitoring of social media in the electoral period, monitoring elections with a gender approach, and strategic communication for domestic observers. EU actions also tackled electoral violence, by launching work on a toolkit for practitioners to promote peaceful elections. A conference was organised together with the UNDP in October 2018 on ‘Sustaining Peace through Elections’.

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<sup>6</sup> Council conclusions on Special Report No 22/2017 by the European Court of Auditors: ‘Election Observation Missions - Efforts made to follow up recommendations but better monitoring needed’

<sup>7</sup> Armenia, Afghanistan, Democratic Republic of Congo, Lebanon, Madagascar, Maldives, Mozambique, Timor Leste



## **Burkina Faso – on track to achieve a meaningful electoral reform ahead of the 2020 presidential and legislative elections**

As part of its support to democracy and the promotion of human rights, the EU deployed an election follow-up mission (EFM) to evaluate the implementation of the 20 recommendations produced by the 2015 election observation mission. The EFM, headed by MEP Cecile Kashetu Kyenge, Chief Observer for the presidential and legislative elections in 2015, took place from 14 June to 9 July 2018.

The EFM aimed to support the country in regaining momentum for electoral reforms in view of the 2020 elections; it fostered consensus around the need to implement ambitious reforms. The authorities of Burkina Faso expressed their commitment to continue working towards improving the electoral framework, on the basis of the EOM recommendations, which were accepted as ‘national recommendations’. Important preparatory work for their implementation has been carried out. For example, considerable efforts have been made, with EU and UNICEF support, in the area of civil registration and the use of the civil registry to compile the voter lists, and a draft for a comprehensive revision of the Electoral Code has been drawn up. Nonetheless, the adoption of this draft requires the entry into force of the new constitution, expected to take place with the national referendum scheduled for the first quarter of 2019.

## **5. ENABLING SPACE FOR CIVIL SOCIETY**

During 2018, the EU continued to place a strong emphasis on independent civil society in line with the objectives of the EU Action Plan on Human Rights and Democracy.

There were a number of important developments including: addressing through public or non-public messaging the limitation of space for civil society and attempts to hinder its work, the inclusion of civic and democratic space as a component of Human Rights and Democracy Country Strategies (HRDCS), the development of new civil society roadmaps and changes to funding modalities, for example to allow for organisations in exile to receive funds, and more availability of emergency funding. Civil society representatives, human rights focal points and Human Rights Defenders liaison officers are now present in all EU delegations, ensuring a clearly identified entry point in charge of engaging with civil society on the ground and helping to protect groups and individuals in vulnerable situations.

The EU continued to systematically consult civil society and human rights defenders (HRDs) before human rights dialogues, and to carry out debriefings afterwards. As every year, in 2018 specific civil society organisation seminars (financed under the EIDHR) were organised in the framework of the official human rights dialogues held with third countries or regional organisations. In 2018, targeted events, such as the EU-NGO Forum and the European Development Days (EDD), allowed for civil society and multi-stakeholder engagement and exchanges on human rights and development matters.

Civil society representatives are also regularly invited to engage with the Council Working Party on Human Rights (COHOM) and are systematically briefed on its work.

Since 2014, 107 EU delegations have developed their ‘EU Country roadmap for engagement with civil society’; the first priority is the enabling environment for civil society. These Roadmaps present a comprehensive EU analysis of the civil society landscape, and highlight EU priorities and concrete steps for engaging with and supporting civil society organisations (CSOs) in partner countries. Most Roadmaps were valid until the end of 2017 and a renewal process has been launched. So far 56 EU delegations have revised their Country Roadmap for the period from 2018 to 2020. The European Commission addresses enabling environment issues through its Policy Forum on Development dialogue with the participation of civil society organisations, networks and associations, both at regional and global level.

The EU continued to support the strengthening of an enabling environment for civil society in multilateral fora including through support for the resolution on civil society space, successfully adopted at HRC38. NGO participation in the work of the HRC and UNGA, including by defending NGOs' right to speak, is one of the EU's priorities at the UN. The EU actively engaged with the Geneva-based task force on civil society. It also supported the technical secretariat for indigenous peoples' representatives – the Indigenous Peoples' Centre for Documentation, Research and Information (DOCIP) – with an EU contribution of EUR 2 million.

The EU has intensified its engagement in the UN Committee on NGOs responsible for accrediting NGOs to the Economic and Social Council (ECOSOC) with a view to countering politicisation and a lack of transparency in its proceedings. The EU and Member States have supported a successful referral to votes at ECOSOC in order to overturn repeated deferrals of NGO applications by the Committee.

CSOs remained the main recipient of support under the EIDHR. Building on its key strength - 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 a timely and flexible manner. For instance, through adapted, flexible procedures such as the EIDHR Human Rights Crises Facility, the EU has provided five direct awards for civil society working in exceptionally difficult conditions. Against the backdrop of shrinking space for civil society worldwide, the EIDHR funding for the creation of civic and democratic space at local, national, and regional level was further enhanced. In addition to support provided to HRDs at risk and to CSOs operating in particularly difficult country environments, the instrument stresses the importance of civil society for democracy. The support to citizen observers of elections and the entire democratic cycle was increased and specific initiatives promoting the creation of space, such as the CivicTech4Democracy campaign in August and September 2018, were organised. At global level, recognising the multi-faceted nature of the 'shrinking space', the EIDHR continued to fund joint efforts of three UN Special Rapporteurs most relevant to the issue (the Special Rapporteurs on human rights defenders, on freedom of expression, and on freedom of assembly and association).

In 2018, the CSOs thematic programme supported civil society organisations as actors of governance, in line with the priorities of the country roadmap.

### **Tunisia – Tripartite consultations with civil society**

Since the revolution, CSOs have played a decisive role in ensuring the success of democratic transition in Tunisia. Strengthening civil society, including social partners, is at the core of EU action. The EU has financed 85 projects implemented by CSOs, worth EUR 41 million.

In addition to the EU's financial support to Tunisian civil society, a tripartite dialogue between the EU institutions, the Tunisian authorities and Tunisian civil society, unique in the Southern Mediterranean, was launched in April 2016.

In 2018, the EU upheld the commitment formally undertaken in the 2016 Communication by the HR/VP and the Commission on 'Strengthening EU support for Tunisia' to reinforce the tripartite dialogue on all aspects of EU-Tunisia relations, notably where EU-Tunisia relations benefit from greater transparency and the involvement of CSOs. This includes the areas of migration and mobility, security and counter-terrorism. In this spirit, every formal EU-Tunisia meeting under the Association Agreement (notably, the Association Committee at senior official level and the thematic subcommittees at expert level), as well as every formal negotiation session between the EU and Tunisia, have been preceded by consultations with representatives of civil society.

The EU Action Plan on Human Rights and Democracy also recognises the crucial role of National Human Rights Institutions (NHRIs) as independent institutions and affirms the EU's commitment to support and engage with institutions that conform to the Paris Principles<sup>8</sup>.

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<sup>8</sup> Principles relating to the status of national institutions (the Paris Principles)  
<https://www.ohchr.org/en/professionalinterest/pages/statusofnationalinstitutions.aspx>

In 2018, the EU continued to support NHRIs through its financial instruments. The targeted programme ‘NHRI.EU’, with an EU contribution of EUR 5 million over three years, continued to support the capacity of targeted NHRIs and the cooperation with their regional and international networks, in particular in relation to four thematic areas: economic, social and cultural rights, business and human rights, human rights education and strengthening of core NHRI mandates. The decision was taken in 2018 to continue to fund this key and successful project supporting NHRIs under the EIDHR for a further three years, as of 2019.

## 6. HUMAN RIGHTS DEFENDERS

In 2018 we marked the 20<sup>th</sup> anniversary of the UN Declaration on Human Rights Defenders. In recent years, human rights defenders have been increasingly harassed, detained and even killed for defending principles enshrined in the UDHR. Support to human rights defenders (HRDs) is one of the main priorities of the EU’s external human rights policy.

In line with the EU Action Plan on Human Rights and Democracy, the EU made a series of commitments to increase support to HRDs, including through more effective implementation of the EU Guidelines on Human Rights Defenders.

The implementation of the Guidelines has been encouraged by the inclusion of a dedicated section on HRDs in the EU Human Rights and Democracy Country Strategies. All new HRDCS have to assess the situation of HRDs in their host country, and, where appropriate, identify steps that the EU could take to support them.

The EU continued to raise the situation of HRDs in political dialogues with third countries and during high-level visits. Issues relating to HRDs were also discussed in EU-supported civil society seminars. EU statements referring to specific HRDs cases were raised in the OSCE Permanent Council meetings and in the annual OSCE Human Dimension Implementation Meeting (HDIM) in Warsaw. The EU also contributed actively in the Human Dimension Committee meeting dedicated to HRDs in February 2018, as well as to activities in December 2018 dedicated to the 70<sup>th</sup> anniversary of UDHR.

The EU delegations and Member State embassies in third countries have regularly engaged and met with HRDs, monitored trials, visited detainees and raised cases with local authorities. Annual meetings between EU diplomats and HRDs have become an established practice in third countries, increasing the visibility of HRDs where appropriate and allowing for in-depth analysis of the challenges they face.

Another effective tool has been the issuance of public statements and declarations. A local statement called for a halt to violence in Nicaragua in April 2018, a spokesperson statement was published on the sentencing of human rights defenders in February 2018 in Vietnam, and the Declaration by the High Representative on behalf of the EU on the occasion of the International Day Against Homophobia and Transphobia in May 2018 reiterated: ‘human rights defenders, you are not alone and the European Union will always be with you’.

The EU actively promoted activities to mark the 20<sup>th</sup> anniversary of the UN Declaration on Human Rights Defenders through public statements and declarations as well as several communication campaigns. Notably, the EU, through the EIDHR, financially supported the civil society-led Human Rights Defenders World Summit organised in Paris from 29 to 31 October 2018. The World Summit discussed challenges, opportunities and future agenda with respect to HRDs, calling for a renewed commitment to protecting human rights defenders and supporting their work. The 20<sup>th</sup> annual EU-NGO Forum from 20 to 22 November 2018, organised in close cooperation with the first European Parliament human rights week, offered a platform for an exchange with HRDs from around the world on important issues, such as the influence of new technologies on their work and the importance of protecting and empowering legal professionals, including human rights lawyers.

A media campaign was launched in October 2018 under the theme ‘Human Rights Defenders are invaluable in challenging human rights violations and helping to create a world in which everybody’s human rights are realised’. The EU is partnering with the Office of the UN High Commissioner for Human Rights to bring the stories of these inspiring and courageous individuals to the global stage.

The EUSR for Human Rights, Stavros Lambrinidis, has increasingly addressed the shrinking democratic space, including for civil society, and especially the need to support HRDs, in his bilateral meetings and in international organisations, and in particular at the HRC 37 High-Level Segment – EU Intervention – on 27 February 2018 where the EUSR raised the situation of HRDs in China, Russia, Egypt, Sudan and Bahrain and recalled that ‘the EU will continue to relentlessly support human rights defenders, to speak out against the shrinking civil society space, and to use political and financial action to support human rights defenders’.

During its human rights dialogues (with 45 third countries and regional associations), the EU encouraged partner countries to fully engage with the UN Special Rapporteur (UNSR) on human rights defenders, and to provide responses to issues raised in his annual report. The EU maintains regular contact with the office of UNSR Michel Forst and provides information on upcoming human rights dialogues. As mentioned above, the EU also provides financial support to the UN Special Rapporteurs on the situation of human rights defenders, on the rights to freedom of peaceful assembly and of association, and on the promotion and protection of the right to freedom of opinion and expression, which are crucial in ensuring an enabling environment for and supporting the work of HRDs worldwide.

The EU and its Member States support the important work done by UN Assistant-Secretary-General (ASG) Gilmour to strengthen the response to reprisals taken against those who cooperate with the UN, its representatives and mechanisms. At the September HRC Session, the EU participated in the first dedicated interactive dialogue with ASG Gilmour on the issue of reprisals.

The EU continues to actively participate in the meetings of international and regional mechanisms for the protection of HRDs.

The last inter-mechanisms meeting, a process implemented by the Observatory for the Protection of Human Rights Defenders, a joint initiative of the International Federation for Human Rights (FIDH) and the World Organisation against Torture (OMCT), took place in New York on 23 and 24 July 2018. This included participation by the UN Special Rapporteur on the situation of human rights defenders, the Inter-American Commission for Human Rights, the Special Rapporteur on HRDs of the African Commission on Human and People's Rights, the OSCE Office for Democratic Institutions and Human Rights (ODIHR), and the Office of the Council of Europe Commissioner for Human Rights. During the meeting, participants exchanged views on the tools and practices in place to support HRDs, in particular those at risk because of their engagement. The meeting resulted in the publication of a joint statement by the UN and regional protection mechanisms on the occasion of the 20<sup>th</sup> anniversary of the adoption of the UN Declaration on Human Rights Defenders, calling on the international community to renew its commitment to support and protect HRDs.

The EU also supported the African Human Rights System and consistently raised cases of concern in the OSCE Permanent Council whenever it was considered effective and safe for the respective HRDs.

Following the 2014 Council conclusions, the EU's commitment towards the protection of women HRDs and HRDs belonging to vulnerable and marginalised groups was reinforced in the face of an unprecedented crackdown they faced. EIDHR-funded projects supporting women human rights defenders and/or HRDs working on human rights of women and girls (EUR 4,65 million) and HRDs working on land rights, indigenous peoples' rights in the context of land-grabbing and climate change (EUR 5 million) were under implementation in 2018, and a new initiative amounting to EUR 10 million was launched to support the work of HRDs working on LGBTI issues.

The EIDHR continued to provide operational and financial support to HRDs, in particular where they are most at risk. The EIDHR remains the world's largest donor in the field of human rights protection.



The EU HRD mechanism, managed by a consortium of 12 specialised international NGOs, ‘ProtectDefenders.eu’, has provided multifaceted support to human rights defenders at risk since 2015. ProtectDefenders.eu provided support to over 11 000 human rights defenders for three years (October 2015 to October 2018), including 1 165 emergency grants (assisting 1 300 HRDs), 173 grants to local organisations, 328 temporary relocation grants (supporting 459 HRDs) and training for more than 5 000 HRDs in 100 countries. ProtectDefenders.eu also conducted monitoring, advocacy and outreach activities targeting most vulnerable HRDs. In 2018, the mechanism assisted 1 093 HRDs and their family members through emergency and relocation grants. The EU HRD mechanism, to be renewed in 2019, complements other ongoing forms of EIDHR support to HRDs.

The EIDHR emergency fund for human rights defenders at risk has provided over 400 emergency grants supporting close to 1 000 HRDs (277 in 2018) and their family members since 2014. This direct financial support is used to cover, inter alia, legal assistance fees, medical care, installation of security equipment, emergency relocation away from danger, prison visits and subsistence costs, which are often vital to these HRDs facing very difficult situations. The EU emergency assistance crucially contributed to the safety of HRDs at risk so that they could protect their lives and pursue their important work.

A significant number of projects and activities to support HRDs are managed by the EU delegations, some establishing or ensuring assistance to local HRD protection mechanisms and networks. In the period from 2014 to 2018, over 120 EIDHR-supported projects focused on support to HRDs where they are most at risk.

The EIDHR Human Rights Crises Facility provides direct awards which can exceptionally be granted 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 2017 and 2018, ten facility projects were supported through this procedure, four of which had re-granting and capacity building of HRDs as their main objective.

### **Raising awareness about human rights in Mexico**

The EU delegation, together with the UN Office for Human Rights to Mexico, implemented a joint campaign raising awareness among the general public of human rights through short video messages from well-known Mexican celebrities and human rights defenders. Each video ran for one week, twice per hour, for 19 hours per day, in more than 60 screens along the Metro Collective Transportation System of Mexico City. At least one million people watched the videos every day for a month. The EU delegation also produced a video on Yésica Sánchez, a human rights defender from the state of Oaxaca, which formed part of the campaign consisting of personal stories of human rights defenders marking the 20<sup>th</sup> anniversary of the UN Declaration on Human Rights Defenders.

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

The 2018 World Press Freedom Index, published by Reporters without Borders (RSF), issued stark warnings. ‘Hostility towards the media’, it says, ‘is openly encouraged by political leaders, and the efforts of authoritarian regimes to export their vision of journalism pose a threat to democracies’. The Index shows that Europe is still, overall, the safest region for press freedom but there is no room for complacency as it is also the area which has witnessed the worst drop in press freedom standards between 2017 and 2018.

In line with the EU Action Plan on Human Rights and Democracy and the EU Human Rights Guidelines on Freedom of Expression Online and Offline, the EU continued to drive forward the implementation of the Guidelines in its external action and internal policies. In his State of the Union speech on 12 September 2018, European Commission President Jean-Claude Juncker made it clear that Europe must always be a place where freedom of the press is sacrosanct. Too many of our journalists are intimidated, attacked, or even murdered. We must do more to protect our democracy and our journalists.

Ensuring freedom of expression and the media continued to be a priority of the EU Enlargement Policy, including in the context of accession negotiations and the Stabilisation and Association process. The Commission issued its assessment on freedom of expression in each enlargement country in April 2018 as part of the enlargement package. During 2018, the Commission continued to provide financial support to organisations working to promote and protect freedom of expression as well as legal assistance and guidance in drafting media legislation.

The EU issued declarations on World Press Freedom Day (3 May) opposing ‘any legislation, regulation or political pressure that limits freedom of expression’, and on the International Day to End Impunity for Crimes against Journalists (2 November), calling on states ‘to reinforce preventive measures, mobilising all actors and creating national safety mechanisms, in line with the UN Plan of Action on the Safety of Journalists and the Issue of Impunity’. On several occasions, HRVP Mogherini and other Commissioners attended the European Parliament to defend the rights of individual journalists and other media workers who were facing serious threats in the exercise of their work.

In its human rights dialogues, the EU continued to systematically raise the issue of freedom of expression and press freedom, in particular urging countries to align their legislation with the relevant international conventions, in particular the UDHR and other international instruments, notably the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Human rights issues are also addressed in the framework of EU cyber dialogues with third countries such as the United States. As part of its multilateral engagement, the EU cooperates closely with UNESCO, the Council of Europe, the OSCE and the Human Rights Council and participates in relevant multilateral fora such as the Internet Corporation for Assigned Names and Numbers (ICANN), the Internet Governance Forum (IGF), the World Summit on the Information Society (WSIS) and the Freedom Online Coalition.

Freedom of expression online and offline is particularly relevant during electoral processes. The UN Human Rights Committee has stated that the right to vote in elections implies that ‘voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind’ (UN’s HRC General Comment 25). The EU election observation missions (EOMs) therefore pay particular attention to assessing online and offline content and to the use of online and offline platforms by candidates, political parties, election management bodies, civil society and other relevant stakeholders. They also pay particular attention to attempts by authorities to limit access to social media or to the whole internet during key electoral periods.

The EEAS has set up three dedicated task forces to address communication challenges in its neighbourhood (the Eastern Partnership, the MENA region and the Western Balkans). Their mandates include supporting a better media environment, addressing disinformation and developing communication products and campaigns focused on better explaining EU policies. The task forces work in tandem with the OPEN Media Hub programme to support media professionals in the Eastern and Southern neighbourhood countries in upskilling, networking and developing independent media platforms. Addressing regional specificities, the work of the Western Balkans task force in this area ranges from assessing the information environment and legal provisions affecting media freedom, to direct engagement with media associations and journalists and other media workers.

In addition, the EU continues to provide financial support for projects and activities in this field, including training, capacity building and the protection of journalists, bloggers and other media workers, human rights defenders, media regulators etc., as well as support to legal and administrative reforms in the media sector, and also promotes access to information and the production of unbiased media programmes. These activities are financed by both the geographic programmes and instruments, for example the Development Cooperation Instrument (DCI), the European Development Fund (EDF) or the European Neighbourhood Instrument (ENI), and by thematic instruments of EU development cooperation.

Through the EIDHR, the EU provides multifaceted support to journalists, media actors and other at-risk HRDs defending freedom of expression. The EU mechanism for HRDs, ‘ProtectDefenders.eu’ and the EU Emergency Fund for Human Rights Defenders at risk have granted emergency and other forms of assistance to individuals, groups and organisations in this respect, allowing them to pursue their work in safer conditions.

Through the EIDHR, the EU has also awarded financial support under a programme on ‘Media and freedom of expression in the framework of EU democracy support’ (Media4Democracy) to assist with the implementation of the EU Human Rights Guidelines on Freedom of Expression Online and Offline. In 2018, the Media4Democracy programme inter alia supported activities in The Gambia, Honduras, Zambia, Botswana, Rwanda, Indonesia, Malaysia and Tanzania.

In the Western Balkans, the EU mobilised funding under the Instrument for Pre-accession Assistance (IPA) to strengthen independent media. EU funds will support training for young and mid-career journalists across the region, thereby boosting investigative journalism that contributes to reconciliation. A technical assistance programme for public service broadcasters supports the regional co-production of investigative journalism, media content for youth, and digitalisation. In addition, to support independent media, new actions with the European Endowment for Democracy (EED) will benefit start-ups for new independent media outlets and small-scale initiatives.

Freedom of expression and media components are also increasingly integrated into larger programmes in the field of democratic governance, which are funded under bilateral cooperation envelopes, as in the case of Sierra Leone, where the reform of the legal framework for elections includes a media component, or in Mozambique, where capacity building of media is addressed under a sector programme aimed at consolidating democracy. In Jordan the EU supports the media sector through a four-year project which addresses the legal and enabling environment for media and associated actors. The project has succeeded in leveraging national efforts and coordinating major stakeholders to initiate reform of the Right to Information law.

### **Central African Republic - independent radio station**

Radio Ndeke Luka in Bangui is a private, independent radio station, operating in large parts of the country. Thanks to EU funding – via the Bêkou Trust Fund – it has established a reputation for being an objective and critical observer of the country’s often difficult political and social developments. Its interaction with listeners across the country allows voices to be heard that otherwise would be lost. Radio Ndeke Luka is a voice of tolerance, thus helping communities to grow together.

Media freedom and pluralism are also under threat within the EU. While it is primarily for Member States to guarantee media freedom and pluralism at national level, the European Commission is taking a number of measures to support media freedom and pluralism across the EU. The Commission continued to fund a number of projects which aim to support media freedom and pluralism and journalists at risk in the EU and, in some cases, in candidate countries. The European Centre for Press and Media Freedom (ECPMF) based in Leipzig addresses media freedom violations in EU Member States and beyond, by providing legal assistance to journalists under threat. Index on Censorship created the ‘Mapping Media Freedom’ platform to disseminate knowledge about media freedom violations in Europe. The International Press Institute aims to address the risk to the public’s right to information in Europe posed by the abuse of defamation laws. The Media Pluralism Monitor (MPM) measures risks to media pluralism across all Member States based on a series of indicators identified by the European University Institute (EUI). The 2018 MPM implementation also covers Serbia, the Republic of North Macedonia, and Turkey.

In May the General Data Protection Regulation (GDPR) became applicable throughout the EU. The GDPR sets ambitious standards for data processing to the benefit of individuals and businesses alike. The GDPR obliges EU Member States to reconcile the right to the protection of personal data with the right to freedom of expression and information.

In April 2018, the Commission proposed a new Directive to guarantee high standards of protection for whistle-blowers who report breaches of EU law, both in the private and public sector, by setting up confidential channels for reporting and by establishing a clear prohibition of retaliation with remedial measures against dismissal, demotion and other forms of retaliation. Moreover, the proposal requires national authorities to provide easily accessible information to citizens.

The 2018 evaluation of the implementation of the ‘Code of conduct on countering illegal hate speech online’<sup>9</sup> showed considerable progress: on average 70 % of the content notified was removed and in more than 80 % of cases the assessment occurred within 24 hours. In 2018, beside Facebook, Microsoft, Twitter and YouTube, four companies - Instagram, Google+, Snapchat and Dailymotion - joined the Code of conduct and participated in the work on countering hate speech online.

The exposure of citizens to large-scale disinformation, including misleading or completely false information, is a major challenge worldwide. On 26 April 2018, the Commission issued a ‘Communication on tackling online disinformation: a European approach’,<sup>10</sup> which outlines a number of actions to counter the spread and impact of disinformation. The proposed measures include, amongst others, a self-regulatory Code of Practice on Disinformation for online platforms and the advertising sector, support for the creation of an independent European network of fact-checkers, and measures to enhance media literacy. The Commission is already implementing a number of these actions. For instance, in September a multi-stakeholder forum convened by the Commission completed the Code of Practice. This is the first time worldwide that industry has agreed on a set of self-regulatory standards to fight disinformation, on a voluntary basis. The EU implements this Code in full respect of the EU Charter of Fundamental Rights, in particular Article 11.

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<sup>9</sup> <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=29738&no=1>

<sup>10</sup> <https://ec.europa.eu/digital-single-market/en/news/communication-tackling-online-disinformation-european-approach>

## **Media4Democracy in Indonesia**

Seeking ways to address hate speech and disinformation from a human rights perspective ahead of the 2019 elections, the EU, together with the Ministry of Foreign Affairs, provided support by hosting a two-day seminar in Jakarta in October 2018. This event was an agreed follow-up to that year's EU-Indonesia human rights dialogue. Bringing together 120 participants, European experts, media stakeholders, online platforms and government actors considered approaches and generated recommendations on addressing hate speech and disinformation while protecting the right to freedom of expression according to international and European standards.

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

In 2018, freedom of religion or belief (FoRB) continued to be under attack in the world. Accordingly the promotion and protection of FoRB remained a key priority in the EU's external human rights policy. The EU's policy is led by the Guidelines on the promotion and protection of the freedom of religion or belief.

During 2018, the EU consistently raised concerns about FoRB violations in the course of political dialogues with partner countries, including during more than 20 human rights dialogues and consultations. Concerns were raised in particular with countries of the Middle East and North Africa (MENA) 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 the official registration of religious groups. Ahead of human rights dialogues, the EU systematically consulted civil society to receive information on the most extreme human rights violations (including FoRB violations) in third countries.



The EU also reacted publicly to condemn violations of FoRB (e.g.: the persecution of Jehovah's Witnesses in Russia) as well as attacks on religious grounds (e.g. the attacks on Coptic Christians in Egypt or persons belonging to Yazidi minorities in the Middle East).

The EU continued to be a strong FoRB advocate in the UN multilateral fora. The EU was the lead sponsor of a FoRB resolution both in the Human Rights Council (HRC) and the UN General Assembly (Third Committee). The FoRB resolution urges states to protect, respect and promote 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. The EU continued to work closely with the OIC on its 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 both resolutions and universal ownership. The EU, together with other international partners, also raised concerns about FoRB violations through statements under agenda item 4 of the HRC, highlighting shortcomings in countries such as China, Pakistan, Myanmar/Burma, DPRK, Syria, Iran and others, and also addressed violations by Da'esh.

In addition, the EU was active in raising the profile and the importance of the right to FoRB during the Human Rights Council session: it organised a side event with the UN Special Rapporteur (UNSR) on FoRB on his latest report focused on the theme 'Religion and State - a multidimensional relationship'. The event offered the opportunity for the UN Special Rapporteur to present his views on how to protect freedom of religion or belief regardless of the type of state-religion relationships that exist. The EU also held a side event on 'The Impact of Media on FoRB', jointly organised with Canada, Norway, the OSCE/ODHIR, the Council of Europe and NGOs. This event provided a framework to discuss the potential of film and media to promote FoRB as an educational tool, to inspire civic engagement and provide a case for the media's role within this setting.

The EUSR for Human Rights, Stavros Lambrinidis, remained committed to upholding and defending FoRB. The EUSR represented the EU at the first Ministerial to Advance Religious Freedom, organised by the United States that took place in Washington DC in July. During the Ministerial meeting, EUSR Lambrinidis engaged with more than 70 delegations from across the world on the EU's internal and external FoRB initiatives.

The EEAS continued to co-chair the Transatlantic Policy Network on Religion and Diplomacy (TPNRD) - a forum of diplomats from Europe and North America who collaborate on religion-related foreign policy issues. A number of concrete initiatives (including academic research to foster religious literacy for diplomats) have grown out of this network, combining FoRB and the wider agenda of diversity and tolerance and building on already existing dialogues with the OSCE, the UN and the OIC.

In May 2018, the EU delegation in Geneva also sponsored a Symposium on FoRB, Cultural Rights and Women, organised by the NGO Muslims for Progressive Values. The event, jointly supported by Canada, the Netherlands and the International Panel of Parliamentarians for Freedom of Religion or Belief (IPPFoRB), identified some critical links between the right to FoRB, cultural rights and women's rights.

As a strong sign of the EU's excellent cooperation and support for the mandate of the UNSR, it is important to highlight the visit of the UNSR on FoRB to Brussels in June. The UNSR was invited to address COHOM together with the Working Party on Fundamental Rights, Citizens Rights and Free Movement of Persons (FREMP) and to set out his main priorities for the year to come. During his visit, he also met with high-level officials of the EEAS to discuss common actions across several regions.

At the UNGA High-Level Week in New York in September, the EU joined other key actors in organising a campaign to raise awareness of the scourge of antisemitism worldwide. The EU also co-sponsored a side event on 'Women of faith as agents of transformation and peace' which provided a platform for women from different faiths and religions to exchange best practices with policy makers and UN agencies on their unique role as agents of transformation. A broad mix of actions driven by women of faith in conflict/post-conflict and reconciliation processes was presented. The event was one of the first such collective efforts to put women faith leaders in the spotlight, which was particularly welcomed as their voices are usually less heard and their actions less visible from an international perspective. In 2018 the freedom of religion or belief was also regularly discussed with other like-minded countries during the meetings of the International Contact Group on Freedom of Religion or Belief (ICG) where the EU and several Member States participated.

At the OSCE level, the EU engaged constructively in the negotiations on the OSCE Ministerial Council's draft decision on enhancing efforts to promote freedom of religion or belief and combat intolerance or discrimination based on religion or belief, in line with the well-established EU comprehensive approach to all forms of discrimination and intolerance, and the existing EU Guidelines on FoRB. The EU participated actively in the discussions on FoRB during the annual OSCE Human Dimension Implementation Meeting (HDIM) in Warsaw, in the Human Dimension Committee and in other human dimension events. 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.

In order to continue to strengthen EU officials' awareness of the FoRB Guidelines, the EEAS organised several training courses on FoRB-related issues. In April, a training course delivered by practitioners working in the human rights area to EU and Member State diplomats focused on identifying challenges to advocate FoRB, the initiatives in multilateral fora to promote this right, and explaining the plight of atheists and non-believers worldwide.

The EEAS also organised wide consultations to improve the implementation of the Guidelines. In February, the EEAS consulted more than 25 faith-based organisations and human rights NGOs in order to gather recommendations for a better implementation. Consultations were also held with EU Member States to analyse their new FoRB tools and possible synergies. In addition, the EEAS cooperated closely with the European Parliament Intergroup on FoRB on its 2017 Annual Report. The report, presented in the Parliament in September, provides clear recommendations to EU delegations.

The Special Envoy for the Promotion of Freedom of Religion or Belief (FoRB) outside the EU, Ján Figel, intensified his activities to make FoRB a human rights priority, highlighting the important role religion and belief, including the right to hold no faith, plays for citizenship, good governance and pluralism.

The Special Envoy held a number of constructive missions in 2018 as part of his mandate. He visited Bosnia and Herzegovina, Pakistan, Nigeria, Lebanon, Burkina Faso, Malaysia and Egypt. Visits reinforced dialogues with authorities and government officials on policies and legal frameworks related to FoRB and offered opportunities to engage with religious and civil society actors. The Special Envoy also supported initiatives in the area of interreligious dialogue and synergies between FoRB, education, and cultural activities.

Special Envoy Ján Figel was active in many international fora, UN processes and academic networks. Notably, he participated in the interactive dialogue on Freedom of Religion or Belief that took place as part of the Human Rights Council in March 2018. To ensure better coordination, more visibility and synergy between the EU and Member States, Special Envoy communicated throughout the year with the European Parliament and COHOM.

Following a first call for proposals on intercultural dialogue in 2017, the Development Cooperation Instrument – Global Public Goods and Challenges (DCI-GPGC) now finances three regional interfaith 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 2017 dedicated global call for proposals on freedom of religion or belief under the EIDHR, six civil society projects were selected (final EU contribution: EUR 5.18 million). The projects address key strategic areas of the Guidelines, including the fight against different forms of discrimination and violence on grounds of religion or belief, paying particular attention to vulnerable groups and situations where individuals are penalised for freely choosing, changing or abandoning their religion or belief. The call emphasises enhancing mutual understanding and respect between individuals of different faiths or none through peaceful means. With this latest call, the EU has significantly stepped up support for FoRB under the EIDHR compared to the period before the adoption of the EU Guidelines.

The Commission has increased awareness-raising activities through training for staff. In 2018, two thematic seminars on gender, religion and development, and freedom of religion or belief were organised. The EED 2018 also included, for the first time, a high-level event on religion and gender equality, bringing together policy makers, development practitioners and academics to discuss how religion and religious dynamics support or challenge gender equality in the context of development cooperation and human rights.

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

In line with the EU Action Plan on Human Rights and Democracy and the Guidelines on EU Policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment, the EU further intensified its work against torture and ill-treatment around the world in 2018.

The HR/VP issued a statement on the International Day in Support of Victims of Torture (26 June 2018) reaffirming the EU's strong commitment to preventing, condemning and eradicating all forms of torture and other cruel, inhuman or degrading treatment or punishment. In a year which marked the 70<sup>th</sup> anniversary of the UDHR, she recalled that all human beings are born free and equal in dignity and rights. She stressed the importance of continuously engaging with our partners, at international and regional level, along with civil society, in order to make progress towards the eradication of this inexcusable crime. She highlighted the key role of international and regional mechanisms as well as National Human Rights Institutions and national preventive mechanisms to eradicate torture and promoted the need for safeguards to prevent torture in all circumstances and towards the most vulnerable, including in the contexts of counterterrorism, crisis management and migration. A number of EU delegations organised specific events to mark the day in support of victims of torture.

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

In its human rights dialogues, the EU continued to systematically raise concerns about torture and 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 national and international monitoring mechanisms; and ensure that all reports of torture or ill-treatment are properly and impartially investigated and perpetrators prosecuted, and that victims are afforded redress. When relevant, the EU also addressed issues of enforced disappearances and secret detention. 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 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. Assistance was provided for the training of police and other staff involved in the penal system, which covered human rights as well as the detection and reporting of alleged torture, including the proper use of the Istanbul Protocol.

The Global Alliance for Torture-Free Trade, an EU initiative co-sponsored by Argentina and Mongolia, was carried forward during 2018. An experts' seminar was hosted in Brussels on 29 June 2018, where information was shared and discussions were held on best practices to control and restrict trade in torture and death penalty instruments. One year after its launch, on 24 September 2018, the first Ministerial Meeting of the Global Alliance took place during the UNGA week in New York in the presence of High Commissioner Bachelet. All 60 members of the coalition subscribed to a forward-looking communiqué envisaging work towards a future new binding international instrument banning trade in goods used for torture and the death penalty.

The 20<sup>th</sup> EU-NGO Forum held in Brussels on 21 and 22 November 2018, which brought together 200 NGO representatives from around the world, dedicated one of its sessions to 'Equating the death penalty with torture: the final step towards abolition'.

In 2018, seven new EIDHR-funded projects on enforced disappearances and extra judicial killings were contracted for a total amount of EUR 5.8 million worldwide. Other projects financed under the EIDHR continued to promote capacity building and the exchange of best practices in torture prevention.

## **Lebanon – Forensic and Psychological Examination Unit opened for potential detection of torture and ill-treatment in custody**

With EU funding and support, and in partnership with the Lebanese Ministry of Justice, a Forensic and Psychological Examination Unit was established at Tripoli's Palace of Justice. The main beneficiaries are detainees transferred to the courthouse from police stations in Lebanon's north district after the first period of arrest (48 hours renewable once by judicial decision) to appear before the judge. The unit has X-ray machines and photographic equipment to document injuries and can carry out blood and urine testing in collaboration with selected hospitals in the region. A multidisciplinary team composed of forensic doctors, psychotherapists, clinical psychologists, lawyers, social workers and laboratory technicians is in place and receives adequate training, particularly on the Istanbul Protocol ('Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment').

This innovative and unprecedented mechanism in Lebanon aims to prevent torture and other ill-treatment by providing physical and psychological check-ups to persons in police custody; such examinations also serve to detect and communicate serious health problems to the authorities. Should this system of early medical screening result in the identification of credible signs or symptoms of mistreatment, in conformity with the Istanbul Protocol, and with the written consent of the person concerned, an immediate and full forensic and psychological assessment may be offered to the detainee. Moreover, pursuant to Article 12 of the Convention against Torture, this may also trigger an investigation by the authorities

Over time, this type of human rights mechanism will contribute to improving the Lebanese justice system and enhance respect for the rule of law. The mechanism provides multiple benefits and serves, inter alia, to i) increase transparency, promote accountability and reduce impunity; ii) prevent ill-treatment by creating a deterrent effect; iii) raise awareness and advocate for the further development of a culture of human rights compliance in the practice of law enforcement bodies; iv) guarantee the victim's right to quality rehabilitation services and compensation; and; v) enhance public confidence in police and criminal investigations.

## 10. THE DEATH PENALTY

In 2018, working for 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 it considers to be a cruel, inhuman and degrading punishment, violating the right to life, while not deterring crime more effectively than imprisonment. Execution is an irreversible punishment and miscarriages, 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 UDHR, the trend towards the worldwide abolition of the death penalty is evident. While in 1960, 25 countries were abolitionist, today three quarters of the world's countries (143 at the end of 2018) have abolished the death penalty in law or in practice, and this number continues to grow. In 2018, many important steps were taken towards the abolition of capital punishment. In January, The Gambia's president declared a moratorium. In May, Burkina Faso abolished the death penalty in law. In June, Benin scrapped the death penalty from the penal code and the Palestinian Authority acceded to the Second Optional Protocol. In August, Pope Francis declared the death penalty inadmissible in all circumstances, formally changing the church catechism, a historical landmark. In October, the State of Washington became the 20<sup>th</sup> abolitionist State in law in the United States, an achievement supported by the advocacy activities of an EIDHR-funded project of the NGO Witness of Innocence. In December, the UN Resolution calling for a moratorium on the use of death penalty was voted on in New York and reached 121 votes in favour, the maximum number ever at the General Assembly. The EU participated in the Inter-regional Task Force, chaired by Brazil, which spearheaded the negotiating process.



The issue of capital punishment was consistently raised with third countries still using it and featured on the EU agendas of 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 deploring the use of the death penalty, and called on those countries to consider a moratorium. This was notably the case for Belarus, Indonesia, Iran, Japan, Pakistan, Saudi Arabia, Singapore, Thailand and the USA, 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 which are not 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 2018, 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 of 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. In 2018, EUR 7 million was allocated to a global call for proposals to support civil society in the universal abolition of the death penalty. This amount is in addition to the EUR 8 million used to fund projects which were ongoing in 2018 and which contributed to the efforts to abolish the death penalty in DRC, Cameroon, Somalia, Kenya, Malaysia, Indonesia, China, Tunisia, Egypt, Morocco and the United States, among others.

In February 2018, HR/VP Mogherini issued a video statement<sup>11</sup> announcing the countdown for the 7<sup>th</sup> World Congress Against the Death Penalty in Brussels from 27 February to 1 March 2019, co-sponsored by the EU through the EIDHR and gathering some 1 500 participants from all over the world.

## **11. EQUALITY AND ANTI-DISCRIMINATION**

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

In 2018, the EU demonstrated its continued leadership in gender equality, and its commitment to the full enjoyment of all human rights by all women and girls and their empowerment. The EU also continued to make significant strides towards achieving all the Sustainable Development Goals (SDGs) and targets by 2030, with the human rights of women and girls at the core of the 2030 Agenda.

The EU pursued a three-pronged approach, combining political and policy dialogues with partner countries, gender mainstreaming and targeted actions.

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<sup>11</sup> [7th Congress Against Death Penalty - European Union's Invitation](#)

All EU human rights dialogues and sub-committees with partner countries included sessions on gender equality, girls' and women's empowerment and the women, peace and security (WPS) agenda as a recurrent item. Gender equality and girls' and women's empowerment were also regularly discussed in the context of informal working groups and discussions on human rights as a stepping-stone to confidence-building, over time, and with the ultimate aim of establishing more formal and in-depth dialogues. The constructive dynamic created by these dialogues facilitated the identification and implementation of ad-hoc actions such as political démarches, public statements, regular consultations with key stakeholders, awareness-raising campaigns and advocacy events to promote, protect and fulfil the human rights of women and girls in partner countries. These actions were consistent with the human rights and democracy country strategies for the period from 2016 to 2020, which included gender equality as one of the main priorities, or as an underlying priority.

The 2018 implementation report of the EU Gender Action Plan II (GAP II) 'Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020'<sup>12</sup> assessed that by combining gender mainstreaming and specific measures and actions, significant progress had been made globally in 2017 towards attaining the following specific objectives: (i) ensuring girls' and women's physical and psychological integrity, (ii) promoting the economic and social rights/empowerment of girls and women, (iii) strengthening girls' and women's voice and participation, (iv) shifting the institutional culture of the Commission services and the EEAS to more effectively deliver on EU commitments. The report emphasised an enhanced EU political leadership and ownership of the gender equality priority, the unprecedented traction in gender mainstreaming (in 2017, 62.8 % of EU official development aid was allocated in a gender-sensitive or gender-focused way, demonstrating ongoing progress towards the GAP II's target of 85 %) and the strengthened use of internal and external gender expertise and gender analyses.

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<sup>12</sup> [EU Gender Action Plan II Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020](#)

The EU's continuous engagement with partner countries was inextricably linked to its commitment to effective multilateralism. In this vein, the EU actively engaged with partner countries in multilateral fora to consistently contribute to accelerating progress towards gender equality, in particular at the 62<sup>nd</sup> session of the Commission on the Status of Women (CSW), the regular sessions of the UN Human Rights Council and the annual session of the UN General Assembly Third Committee as the key policy-making UN fora. Furthermore, the EU placed gender equality and the WPS agenda at the centre of its work and partnerships with multilateral partners, such as the Council of Europe (CoE), the North Atlantic Treaty Organisation (NATO), the African Union (AU), the Organisation of American States (OAS), the Association of Southeast Asian Nations (ASEAN), the Union for the Mediterranean (UFM), the International Committee of the Red Cross, and the Organisation for Islamic Cooperation (OIC), as well as with the G7 and the G20. In the G7 context, the EU and Canada co-hosted the first ever meeting of women Foreign Ministers in September to identify innovative ways to jointly address crucial foreign policy challenges, and pledged to build a network of governments and CSOs to advance gender equality and girls' and women's rights and to work toward implementing existing commitments.

Preventing, combatting and prosecuting all forms of violence and discrimination against girls and women and ensuring their physical and psychological integrity was at the very centre of EU action, including in pre-conflict, conflict and post-conflict situations.

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 of the International Conference on Population and Development (ICPD) 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 made progress towards its accession to the Council of Europe Convention on preventing and combating violence against women and domestic violence, known as the Istanbul Convention. The Istanbul Convention is widely recognised as the most far-reaching legal instrument to prevent and combat violence against women and domestic violence as a violation of human rights. It establishes a coherent European legal framework with a set of legally binding standards for greater protection and support.

The EU also made major strides towards the full implementation of the EU-UN Spotlight Initiative to eliminate violence against women and girls worldwide, backed up by the unprecedented sum of EUR 500 million. Two pillars were implemented: the Latin American pillar against the gender-motivated killing of women, also called femicide, and the Sub-Saharan pillar to prevent and eliminate sexual and gender-based violence and harmful practices. EUR 32 million was also allocated for the global call dedicated to the fight against sexual and gender-based violence in the most remote areas and in forgotten crises, with five projects contracted (with a focus on Bangladesh, Iraq, Palestine<sup>13</sup> and Yemen, Cameroon, Chad, Ghana, Liberia, Mali and Sudan). In this context, specific support was given to the Panzi Foundation in DRC, managed by Nobel Prize laureate Dr Mukwege.

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<sup>13</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.

Gender-based violence remained a priority humanitarian issue, as is reflected in the European Consensus on Humanitarian Aid and the policy on Gender in Humanitarian Aid. In 2018, it is estimated that the EU allocated nearly EUR 30 million in humanitarian aid to help fight sexual- and gender-based violence. Between June 2017 and December 2018, the EU successfully led the multi-stakeholder global initiative ‘Call to Action on Protection from Gender-Based Violence in Emergencies’, a global initiative which aims to drive structural change in the humanitarian system to address gender-based violence. The EU coordinated the mobilisation of 82 actors, including partner governments, international organisations, civil society and communities which work together to better prevent and mitigate gender-based violence from the earliest onset of a crisis. During its leadership of the Call to Action, the EU raised awareness on the issue through several high-level events and a communication campaign, welcomed 18 new members to the initiative, initiated the piloting of the Call to Action in Nigeria and Democratic Republic of the Congo, organised 10 awareness-raising workshops through its field offices and facilitated the drafting of the 2017 Call to Action Progress Report (published in November 2018). In 2018, the EU also published its first ever assessment report on its humanitarian Gender-Age Marker. It highlights the usefulness of the Marker and calls upon partners to continue investing in capacity-building on gender and age. For 2017, preliminary data suggests that 89.1 % of projects integrated sex and age to a certain extent.

### **Jordan – first shelter opened for women victims of domestic abuse**

The very first government shelter for women victims of domestic abuse was opened in Jordan in July 2018. This was the result of the joint efforts of the EU delegation, including a longstanding political dialogue with the authorities and financial support for an EU-funded project, and civil society. During the EU-Jordan Human Rights Subcommittee of February 2018, both sides agreed on some deliverables including the construction of a shelter. This became a reality five months later.

The shelter hosts and rehabilitates women whose lives are threatened by so-called family honour violence. Around 20 women are murdered annually in Jordan for reasons related to ‘cleansing family honour’; in some cases, women are detained in prison to ‘protect’ them from their families.

The new shelter now allows women to remain with their children (this had not been possible before) and to leave the shelter with coordinated protection measures. The first-of-its-kind facility provides meals/accommodation and other necessary items for the women and their children, and is also equipped with facilities for residents to learn new professions. The shelter is protected by plainclothes male and female police officers.

The EU marked a series of dedicated days through EU statements and special events: the International Day of Zero Tolerance for Female Genital Mutilation, the International Women’s Day, the International Day for the Elimination of Sexual Violence in Conflict, and the International Day for the Elimination of Violence against Women. The EU once again proactively joined the UN Women international campaign, ‘16 Days of Activism Against Gender-Based Violence’, running from 25 November (International Day for the Elimination of Violence against Women) to 10 December 2018 (Human Rights’ Day), as part of the UN Secretary General’s global UNiTE campaign, to galvanise action to end violence against women and girls.

The women, peace and security (WPS) agenda has been established as a prominent area of cooperation with partners. The WPS agenda is one of eight priorities for the period from 2019 to 2021 on peace operations and crisis management. It is also part of the cooperation with NATO and the OSCE and is increasingly included in security dialogues with third countries.

In December, the Foreign Affairs Council adopted the first ever Council conclusions on Women, Peace and Security (WPS) and the new EU Strategic Approach to WPS as our compass for all EU policies and actions in engaging, empowering, protecting and supporting women and girls at all levels of peace processes and security efforts. The new EU Strategic Approach to WPS emphasises the importance of women's leadership and meaningful and equitable participation in all aspects of peace and security and in all areas of policy decision-making and programming. It also engages men and boys as positive agents for change, including the need to address and transform gender stereotypes and to reconsider such deep-rooted perceptions in societies.

The EU continued to promote gender equality in the Common Security and Defence Policy (CSDP), mainly by mainstreaming a gender perspective into the CSDP missions and operations. Progress was made in implementing the recommendations of the 2017 Report of the Baseline Study on Integrating Human Rights and Gender into the EU's Common Security and Defence Policy.

The main emphasis in 2018 was to develop guidance documents and other practical tools for translating policies into practice in the planning and conduct of operations. In June 2018, the Civilian Operations Commander issued the 'Operational Guidelines for mission management and staff on gender mainstreaming', as a means to guide civilian CSDP missions to more systematically mainstream a gender perspective into their daily operations, and to contribute to the implementation of the UNSC Resolutions on Women, Peace and Security. The Guidelines contribute to the further implementation of the Baseline Study's recommendations and foster a more uniform and recognisable approach to gender mainstreaming for the civilian CSDP missions. In addition, and to further support this work, the gender advisory capacity was strengthened at headquarters and in the field, e.g. through the creation of a new gender expert position at the Civilian Planning and Conduct Capability (CPCC).

Furthermore, the Council approved Upgraded Generic Standards of Behaviour for CSDP Missions and Operations. The document specifically addresses sexual exploitation and abuse, harassment, sexual harassment and other forms of gender-based violence and stresses the right of all personnel to live and work in an environment free from harassment, abuse, unlawful discrimination, intimidation and bullying.



A specific gender dimension has been integrated into the recently approved Atrocity Prevention Toolkit as part of the EU Responsibility to Protect, which will be distributed to delegations and CSDP missions and operations.

Progress was made towards the adoption of a Council Decision in support of gender mainstreamed policies, programmes and actions in the fight against small arms trafficking and misuse, in line with the Women, Peace and Security agenda. The overall objective of this Decision is to contribute to international peace, security, gender equality and sustainable development by enhancing the effectiveness of small arms control measures through the promotion of approaches based upon systematic gender analysis and the integration of gender perspectives, thus leading to enhanced security and safety for women.

In November 2018, a two-day seminar in Gaziantep (Turkey) on ‘Empowering Syrian Women’, was conducted. The seminar brought together 30 prominent female representatives of the political opposition as well as women from local councils and civil society from outside and inside Syria. The objective of the seminar was to discuss women’s empowerment in Syria and ways to increase women’s participation in the political process as well as in the economic and social sphere, while encouraging dialogue between the actors involved in the peace negotiations and civil society on the ground. The recommendations from the seminar were shared in a closing session with representatives of EU Member States and implementing partners as well as the leadership of political opposition institutions including the Syrian Negotiation Commission (SNC), the opposition negotiation party in the Intra-Syrian talks in Geneva under UN auspices.

This seminar was followed up by a high-level dialogue between Syrian and Yemenite women conducted in Brussels in December. The purpose of this high-level dialogue was to share experiences on the role of women in the peace process, e.g. in mediation and peacebuilding.

The work of the EEAS Principal Advisor on Gender and on the implementation of UN Security Council Resolution 1325 on Women, Peace and Security, Mara Marinaki, contributed to increased effectiveness, enhanced cohesion and improved visibility in EU external action regarding gender equality, women's empowerment and women, peace and security. This has been achieved through active engagement with multilateral and regional partners as well as with civil society globally and through active cooperation between all EU services and the EU Member States.

## **Rights of the Child**

Throughout 2018, the EU further implemented the revised EU Guidelines on the Promotion and Protection of the Rights of the Child in relations with partner countries. The Guidelines have served to strengthen efforts to ensure that all children are reached effectively by EU policies and actions. The document promotes a systems-strengthening approach while identifying all the necessary measures, structures and actors which need to be in place to protect the rights of all children. Colleagues posted in EU delegations worldwide were offered training on the rights of the child that included case studies on how to use the Guidelines as a tool to better navigate the work in this area.

The revised EU Guidelines underline the importance of developing alternative care for children and providing them with appropriate support to participate in community life and to access mainstream services. It is in this vein that in February 2018 the EU launched a 'Call for Proposals on Quality Alternative Care for Children and De-Institutionalisation' which aims to support initiatives to prevent family and child separation, to take children out of harmful institutions and to provide appropriate and quality alternative care for those deprived of parental care. At the end of 2018, the Commission had completed the procedure for contracting the five projects selected under that call. The call was funded by the DCI-Global Public Goods and Challenges programme. In July 2018, a call for proposals on alternative care systems and/or alternatives to the detention of migrant children was launched under the Asylum Migration and Integration Fund. To further promote the transition towards community and family-based care, the EU and an NGO organised the conference 'No child left behind: Families not institutions - EU external action championing children's rights'.

**In the Republic of Moldova**, child protection sector reforms, particularly the adoption of the National Strategy on Child and Family Protection and Action Plan, resulted in a considerable improvement of the right of children to a family environment. The implementation of the Action Plan is a mid-term priority under the Association Agenda. This political commitment was supported by a dedicated project aimed at improving access to community-based early years and preschool support services for vulnerable children with special needs. Actions focused on building the capacity of key target groups, including professional staff from local authorities and CSOs, kindergarten teachers, parents, and the general public. It provided these groups with knowledge of the specific needs and rights of children with special needs as well as of the importance of inclusive education during the early years through music therapy, portage, mellow parenting and a national-level communication programme.

As a humanitarian donor, the EU has become a global leader in the field of education in emergencies and protracted crises by further increasing funding to 8% of the humanitarian budget in 2018. In May 2018, the European Commission issued a Communication on education in emergencies and protracted crises in which the EU made a commitment to focus its actions on ensuring education continuity by addressing barriers and bringing out-of-school children back into safe and quality education. The Communication is based on a humanitarian-development nexus approach to harness the added value of a variety of instruments when responding to education needs. In its Council conclusions adopted in November 2018, the Council welcomed the comprehensive approach to education in emergencies which includes preparedness, disaster risk reduction, prevention, mitigation, rapid response, and a commitment to building resilient education systems.

In 2018, the EU continued to support and monitor the implementation of the actions recommended in the Communication on the protection of children in migration.<sup>14</sup> Progress was achieved on several accounts, such as the improvement of access to qualified guardianship for unaccompanied children in the frontline countries, the establishment of an EU guardianship network, and the deployment of child protection teams at the Greek hotspots. In January 2018, the EU, in partnership with UNICEF, launched the programme ‘Protecting children affected by migration in Southeast, South, and Central Asia’ to guarantee access to national child protection systems. The EU also supports several projects which aim to protect the rights of children affected by migration in Afghanistan and Iran, in Cox’s Bazar in Bangladesh, in Central America and in Western Africa. The EU also supported UNHCR in a global technical assistance and capacity-building programme to prevent the detention of children and protect children and other asylum-seekers in detention. Through this project, in 2018 UNHCR released a learning programme on alternatives to detention, with a focus on specific reception arrangements for children who are migrants and on immigration detention monitoring.

In June 2018, the EU held a two-day conference on child-friendly justice and integrated child protection systems to showcase examples of good practice from EU-funded projects, and to explore how EU funds can best support the implementation and enforcement of the rights of the child<sup>15</sup>. The projects presented were developed within the EU, but their outputs and deliverables are also valuable in external relations.

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<sup>14</sup> [European Commission Communication on the protection of children in migration](#)

<sup>15</sup> [Child-friendly justice](#)

In **Lebanon**, a new programme was launched in February 2018 to help develop a justice-for-children system in line with international norms and standards. The programme seeks to implement a holistic approach, for the benefit of children in contact with the law, by providing key national stakeholders such as law professionals and enforcement agencies, line ministries, frontline workers, and civil society with the necessary know-how to strengthen their professional capacities. So far, progress has been made in developing the content for a training manual for lawyers specialising in cases involving children. Work is also underway to establish a new juvenile centre to house minors in conflict with the law, while in parallel supporting the increased use of non-custodial measures. Child-friendly hearing rooms are currently being set up. In **Georgia**, the EU also supported reforms in the juvenile justice sector, in particular the implementation of the Juvenile Justice Code that entered into force in 2016, through specialised training for judges, prosecutors, legal aid providers, penitentiary and probationary staff. An assessment of children's individual needs at all stages of the criminal proceedings was also introduced to help judges and prosecutors make decisions in the child's best interests, and a new human rights department at the Ministry of Interior was established to address crimes committed by or against juveniles. Furthermore, pre-trial assessments and alternatives to detention and imprisonment such as home arrest, as well as individual sentence planning, have been applied to juveniles.

In line with the commitment to end harmful practices, the EU supported a pilot programme with the United Nations Population Fund (UNFPA) on preventing son preference and gender-biased sex selection at birth in Asia and the Caucasus.

The EU also continued to support two UNICEF and UNFPA global programmes addressing child, early and forced marriage, and female genital mutilation. Both programmes are unique in their scope and their contribution to the attainment of Sustainable Development Goal (SDG) 5.3 on ending all harmful practices by 2030 through comprehensive joint approaches, identifying models and scalable platforms for systems-level change. On two occasions, UNICEF and UNFPA presented these programmes and UN policies and priorities on the rights of the child to COHOM.

In line with the commitment in SDG 16.9 to register all births, the EU supports a regional project for the rapid delivery of birth certificates and the establishment of strong birth registration systems in Burkina Faso, Cameroon, Uganda and Zambia. Programmes which aim to create qualitative and efficient national civil registration and vital statistics systems are also implemented in Côte d'Ivoire, Guinea, Guinea Bissau, Mali, Niger, Senegal and Sierra Leone.

To mark Universal Children's Day, the EU launched the new project 'Clear Cotton', which uses an integrated approach to eliminate child labour and forced labour in the cotton, textile and garment value chain. The project reinforces the EU's contribution to the achievement of SDG 8.7 and other relevant goals and targets of the 2030 Agenda. In March 2018 the EU organised a workshop on child labour in cocoa production to identify gaps and opportunities to tackle child labour in the value chain. Speakers from international organisations, civil society and industry presented best practices and a set of recommendations to the EU and key partners. The EU continued to promote the ratification and implementation of the fundamental conventions of the International Labour Organisation.

The EU, together with a group of Latin American countries, tabled annual resolutions on the rights of the child at the Third Committee of the UN General Assembly and during the 37<sup>th</sup> session of the UN Human Rights Council. The General Assembly resolution was an omnibus text, addressing a range of different thematic issues, while the Human Rights Council resolution focussed on the protection of the rights of the child in humanitarian situations. In the margins of the Third Committee discussions, the EU Delegation to the UN in New York, in partnership with Uruguay and UNICEF, organised a major side-event on the rights of the child, which looked at how best to capitalise on the 30th anniversary of the Convention on the Rights of the Child in 2019, as well as on other upcoming events and anniversaries related to the rights of the child.

## Youth

Children and young persons are disproportionately affected by human rights violations, from breaches of the right to education and the right to work, to breaches of the rights to freedom of assembly, of freedom of expression and of participation in public affairs, to the disproportionate effects of violence on youth. The first-ever EU Conference on Youth, Peace and Security was hosted in Brussels on 23 and 24 May 2018, in a joint effort between the EU, the UN, civil society, and young peacebuilders from 27 EU Member States and 29 partner countries. The conference created a level playing field for young people to engage directly with leaders from the EU and the UN, including on human rights, which was one of the thematic focus areas. On 26 November 2018, the Council adopted the new EU Youth Strategy 2019-2027<sup>16</sup>, which affirms that European youth policy and all actions undertaken under the EU Youth Strategy 2019-2027 should be firmly anchored in the international system of human rights.

## Older Persons

The annual '2018 Fundamental Rights Report' of the EU Agency for Fundamental Rights (FRA) dedicated a chapter on 'Shifting perceptions: towards a rights-based approach to ageing', which explores the shift away from thinking in terms of 'deficits' and 'needs' towards an approach that respects the fundamental right to equal treatment of all individuals, regardless of age.

In the first half of 2018 the European Commission published two of their major triennial reports: the 2018 Ageing Report with Economic and Budgetary Projections for the EU Member States (2016-2070) and the 2018 Pensions Adequacy Report. The latter analyses how pensions in EU Member States contribute to preventing poverty for the duration of retirement, albeit further measures are necessary.

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<sup>16</sup> [https://ec.europa.eu/youth/news/eu-youth-strategy-adopted\\_de](https://ec.europa.eu/youth/news/eu-youth-strategy-adopted_de)

The EU took part in the 9<sup>th</sup> session of the Open-Ended Working Group on Ageing (OEWG) held in New York in July 2018. It contributed actively to the discussions and to the exchange of data and best practices on the thematic issues of Autonomy and Independence, Long Term and Palliative care. The EU followed actively the discussions in other UN fora on the rights of older persons, including in the Third Committee of the UN General Assembly, the Human Rights Council, and the Commission for Social Development.

The EU also took part throughout the year in other international events on ageing and demography with a view to enhancing and disseminating the EU's principles on safeguarding older persons' full enjoyment of all human rights, and its commitments to the Regional Implementation Strategy (RIS) of the Madrid International Plan of Action on Ageing (MIPAA). Such events included the ASEM International seminar in Seoul in June, the International Conference on Population and Development (ICPD+25) held in Paris, and the UNECE Regional Conference 'Enabling Choices: Population Dynamics and Sustainable Development' held in Geneva in October.

### **Lesbian, Gay, Bisexual, Transgender and Intersex Persons**

The EU continued to fight during 2018 for 'equal rights for all' regardless of sexual orientation and gender identity. Inside and outside the EU, Lesbian, Gay, Bisexual, Transgender and Intersex Persons (LGBTI) persons are often targets of violence and exposed to hate crime. They frequently face discrimination, persecution and maltreatment on the basis of their sexual orientation and gender identity.

In line with the EU Guidelines on LGBTI, the EU maintains its focus on decriminalising same-sex relations and combatting discriminatory laws and policies, promoting equality and non-discrimination, addressing LGBTI-phobic violence, and supporting and protecting HRDs.

Specifically, the EU speaks 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 under no circumstances serve as the basis for violence or criminal penalties. Threats against LGBTI persons have been discussed in 14 human rights dialogues this year, as well as during high-level visits.



Statements have been issued in situations where the human rights of LGTBI persons were under attack; for example, the issue was explicitly raised in the EU statement on item 4 at the HRC in September 2018 in Geneva on kidnappings, torture and killings of LGBTI persons in Chechnya and the Statement by the Spokesperson on 6 September 2018 in response to the public caning of two women in Malaysia. Ensuring follow-up of individual cases, including attendance at court hearings, and providing support to LGBTI Human Rights Defenders in crisis situations remained one of the key priorities during 2018.

Promoting stronger partnership with local organisations working on the human rights of LGBTI persons has remained at the heart of the promotion of the EU guidelines e.g. by hosting debates/seminars on relevant issues including LGBTI aspects and LGBTI speakers, by endorsing cultural events, conferences, or social projects and by facilitating exchange of information on the situation of LGBTI persons in crisis contexts.

Non-discrimination, including on grounds of sexual orientation and gender identity, continued to be raised in the context of accession negotiations and the Stabilisation and Association Process. The Commission issued its assessment of the respect for and protection of the rights of LGBTI persons in each enlargement country in April 2018 as part of the Enlargement Package. The Commission continued to provide support to organisations working to protect and promote the rights of LGBTI persons in these countries.

To mark the International Day against Homophobia, Transphobia and Biphobia (IDAHOT), the HRVP issued a statement paying homage to the courageous efforts of advocates to promote the enjoyment of all human rights by LGBTI persons.

The EU continued to support projects worldwide aiming at addressing and preventing discrimination based on sexual orientation and gender identity, mainly by supporting CSOs under the European Instrument for Democracy and Human Rights (15 ongoing grants). A specific call for proposals worth EUR 10 million<sup>17</sup> was launched at the end of 2018 to 'Support LGBTI Human Rights Defenders and their organisations working in areas where LGBTI persons are most at risk of discrimination', with priority given to proposals working on intersex and transgender matters and targets groups. Continuous support was also provided to LGBTI Human Right Defenders at risk through emergency mechanisms.

The EU will continue to promote the principles of equality and non-discrimination in UN fora. The EU Delegation is a member of the UN Core Group for LGBT, which since 2017 has included intersex issues. During the UNGA 73th High Level Week, LGBTI issues were highlighted in a side-event held at the UN by the UN LGBTI Core Group on extrajudicial killings and in an evening programme organised by Reuters at Times Square on the role of media in reporting on LGBTI issues.

In 2018 the EU delivered an intervention in the Interactive Dialogue with the UN Independent Expert on Protection against violence and discrimination based on sexual orientation and gender identity, Victor Madrigal–Borloz, reiterating the EU's commitment to equality and non-discrimination.

The Commission also organised training sessions based on the principle of 'leave no one behind' for EU staff from headquarters and delegations. The main objective is to improve staff knowledge on how to address all layers of discrimination, including against LGTBI persons.

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<sup>17</sup> Also mentioned under the paragraph on Human Rights Defenders

The EU also presented in March 2018 its report on the follow up to the 'List of Actions by the Commission to advance LGBTI equality'. The Council conclusions adopted in June 2016 invited the Commission to report annually on its progress. The annual reports on the list of actions have improved the consistency of our reporting. In addition to describing the EU internal actions, all reports include a specific chapter called: 'External action: LGBTI equality in Enlargement, Neighbourhood and Third countries.'

### **Mauritius - first forum debate on the promotion of human rights of LGBTI persons**

On 13 December 2018, the National Human Rights Commission of Mauritius, through the EU-funded project 'Promotion of the Respect for Human Rights in the Republic of Mauritius', organised a forum debate on the rights of LGBTI persons jointly with the EU Delegation in Mauritius. This event, which also celebrated the 2018 International Human Rights Day, was the first-ever forum debate on LGBTI issues in Mauritius, bringing together around 100 participants, including Government representatives, politicians, civil society, the public sector and the international community.

The panellists included the Minister for Justice, Human Rights and Institutional Reforms, the EU Head of Delegation, representatives of civil society from Mauritius as well as representatives from the Equality and Justice Alliance of the UK. Ambassadors of the EU Member States present in Mauritius, namely the UK and France, also attended the event.

The debates focused on two key issues for the LGBTI community in Mauritius: the decriminalisation and how to prevent discrimination based on sexual orientation. This event was an opportunity for the EU to explain its actions on protecting and promoting rights for LGBTI persons. Discussions were open and frank. The civil society representatives expressed their appreciation to the European Union for this first opportunity to interact with high-level speakers on the issue of respect for human rights for LGBTI persons.

## Persons with Disabilities

On 8 November, the European Parliament and the Council came to a provisional agreement on the European Commission's proposal for a European Accessibility Act which, once adopted, will make many everyday products and service accessible to persons in Europe with disabilities.

On 3 and 4 December a number of events were organised to mark the International Day for Persons with Disabilities, hosted by the European Commission and the European Disability Forum. The conference gave participants the opportunity to discuss the possible direction of the next European Disability Strategy from 2020 onwards. On 5 December, the EU institutions held a high-level interinstitutional conference on the theme of 'Accessibility for All' to mark the International Day of Persons with Disabilities. At the conference, the interinstitutional Guide for Newcomers with disabilities 'AccessAbleBrussels' was presented. The guide includes practical information and useful contact points, both within Brussels and the EU institutions, and contributes to the EU Institutions' efforts to create a work environment that does not discriminate against persons with disabilities. A disability policy appropriate to the context, in which the EEAS operates, both at the Brussels Headquarters and in the delegations, is in the pipeline.

The EU engaged proactively in view of the panel on an evidence-based approach to mainstreaming disabilities in the implementation and monitoring of the 2030 Agenda at the 56<sup>th</sup> Session of the UN Commission for Social Development held in January and February 2018 in New York. It is worth highlighting the joint EU-China initiative on a side-event focused on 'Realising Equal Rights and Inclusive Development.'

The 11<sup>th</sup> Conference of State Parties to the Convention on the Rights of Persons with Disabilities (CRPD) chaired by Bulgaria was held from 12 to 14 June, and was preceded by the CRPD Civil Society Forum on 11 June. The EU underlined the importance it attaches to the focal themes of the conference: 'National fiscal space, public-private partnerships and international cooperation for strengthening the implementation of the CRPD', 'Women and girls with disabilities' and 'Political participation and equal recognition before the law'. The delegations of the European Parliament and the European Economic and Social Committee reinforced the EU's presence. The elections to Committee (Treaty body) of the CRPD resulted in an improvement of the gender balance of the membership of the Committee. Of the three candidates from EU Member States, one candidate was elected. As a result only two members will be from EU Member States as of January 2019.

With 177 ratifications, the CRPD is close to universal ratification and with Ireland's ratification in March 2018 all EU Member States are now parties to the CRPD. The shared commitments to the CRPD among an increasing number of the EU's partner countries have also provided enhanced opportunities for cooperation during the year, either through the bilateral dialogues and programmes or in support of civil society, including for organisations of persons with disabilities, through instruments such as EIDHR or the Global Public Goods and Challenges.

In 2018, more than EUR 6.3 million of EIDHR funding was allocated to new projects targeting the rights of persons with disabilities in The Gambia, Ghana, Zimbabwe, Zambia, Kenya, Uganda, Tanzania, Burundi, Eswatini, Dominican Republic, Nicaragua, Honduras, Lebanon, Kazakhstan, Ukraine, Armenia, Montenegro and Serbia.

In 2018, the EU took a step forward in ensuring disability mainstreaming in EU-funded humanitarian aid. In addition to continuing to fund actions which specifically target persons with disabilities in humanitarian settings, the EU strengthened the promotion of disability mainstreaming in EU-funded operations across all sectors. Firstly, it did so by encouraging EU partners to integrate measures ensuring the inclusion of persons with disabilities in their proposed actions. Secondly, in order to assist its partners in mainstreaming disability in their programmes, the EU developed an operational guidance note on disability inclusion for release in 2019. The guidance note was drafted in consultation with EU partners and representatives from organisations of persons with disabilities. Overall, one quarter of the humanitarian aid projects funded by the EU in 2018 included persons with disabilities as targeted beneficiaries.

### **Rights of Indigenous Peoples**

Hostilities, violence and reprisals against indigenous peoples' human rights defenders continued to be of grave concern in 2018. Even the UN Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz, did not escape judicial harassment. Indigenous leaders and activists are disproportionately represented among the more than 200 human rights defenders killed in 2018 around the world.

Through the EIDHR mechanisms for the protection of human rights defenders at risk, the EU has been able to support a large number of indigenous human rights defenders and, at times, save them from imminent danger.

Land-grabbing increasingly threatens indigenous peoples' rights and livelihoods, thus intensifying the pertinence of the EU's support to land governance programmes in 40 countries around the world with a total budget of EUR 240 million. Furthermore, the EU awarded a EUR 6.9 million grant to the Land and Forest Tenure Facility, which focuses specifically on the tenure rights and security of Indigenous Peoples and Local Communities. In 2018 a further EUR 5 million was granted to HRDs and organisations working on land-grabbing, climate change and indigenous peoples' rights in the framework of the EIDHR global call for proposals.

The EU also supported indigenous peoples by raising in UN fora the global issues that affect them. To this end, the EU granted EUR 2 million to support the DOCIP<sup>18</sup> – the Indigenous Peoples’ Center for Documentation, Research and Information - which acts as a technical secretariat for the Indigenous Peoples’ representatives at the UN.

At multilateral level the EU supported the annual resolutions of the Human Rights Council and the UN General Assembly on indigenous peoples’ rights and participated actively in the meetings of the UN Indigenous Mechanisms. At the 24<sup>th</sup> Conference of Parties to the UN Framework Convention on Climate Change (UNFCCC) in Katowice, Poland, the EU was instrumental in the establishment of the Local Communities and Indigenous Peoples Platform Facilitative Working Group. The working group will be crucial for integrating local communities and indigenous peoples, and their knowledge, in climate policy and actions.

In line with the priorities set out in the 2017 Council conclusions on Indigenous Peoples, land and environment issues were discussed at the European Development Days held in June, where indigenous women shared their perspectives in the side-event dedicated to Rural women/ girls and Development. A session of the annual Human Rights EU-NGO Forum in November focused on climate change, land, environment and the rights to water and sanitation. The session included testimonies from three continents on the challenges, including criminalisation, indigenous peoples face when claiming their rights.

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<sup>18</sup> [The Indigenous Peoples’ Center for Documentation, Research and Information - https://www.docip.org/](https://www.docip.org/)

In bilateral relations, the rights of indigenous peoples were discussed in a good number of human rights dialogues with partner countries. Furthermore, indigenous issues were reflected upon in other sectoral dialogues and taken up in the framework of the negotiations of new comprehensive agreements. In addition, the Voluntary Partnership Agreements (VPA) under the Forest Law Enforcement, Governance and Trade in timber products programme (FLEGT), which the EU has with Honduras and Guyana, were concluded in 2018. The VPA-FLEGT with Honduras is groundbreaking in the sense that the respect of the ancestral land rights of indigenous and Afro-descent peoples and of their free, informed consent in accordance with ILO convention No 169 on Indigenous and Tribal Peoples form part of the legal definition criteria of what constitutes legal timber that can be exported to the EU. The EU-Guyana VPA-FLEGT reaffirmed the commitments to the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). The reaffirmation of the UNDRIP in the VPA will be crucial in providing guidelines for the engagement with Amerindian communities that are recognised as legitimate stakeholders under the VPA.

### **Rights of Persons belonging to minorities**

The human rights violations and abuses against persons belonging to minorities, including persons belonging to national or ethnic, religious and linguistic minorities did not cease in 2018. During the year it became evident that the authorities in China have forced many hundred thousands of people belonging to minority groups into internment camps, supposedly for the purpose of providing them with job training, offering 'an escape from poverty', 'backwardness' and the 'temptations' of radicalised religious beliefs. Further examples are the looting and burning down of homes belonging to the families of persons belonging to minorities by vigilante groups, which all too often act with complete impunity. Throughout the year the EU has spoken out against such incidents, including through statements at the UN, calling for justice to be served and for the protection of the victims and families of such violence. One concrete example is the statement by the EU Spokespersons on the attack on Coptic Christian pilgrims in Egypt in November. The EU continues to follow the Rohingya crisis closely and is deploying all its tools to bring an end to the crisis. This includes the EUR 41 million in life-saving humanitarian assistance for the Rohingya communities which sought refuge in Bangladesh.



Through its human rights dialogues with partner countries, the EU regularly expresses its concern for the rights of persons belonging to minorities, in particular to persons belonging to religious minorities.

The EU addresses situations where, for instance, children belonging to minorities are segregated or banned from using or being taught their mother-tongue in public schools or where the spread of hate speech both online and offline incites hatred and inter-communal conflicts. There are still too many countries where persons belonging to minorities suffer from structural discrimination, which often prevents them from accessing public health and social services on an equal footing with the majority population. This is, for instance, the case for the many hundreds of millions of persons affected by caste-based discrimination both in South Asia and elsewhere. In many cases the lack of identity cards or birth registration documents prevents persons belonging to minorities from accessing health and social services to a disproportionate degree and, even worse, is at the root of statelessness.

The EU uses a wide range of financial and technical cooperation instruments, including bilateral cooperation with governments and direct support to civil society, to promote and protect the rights of persons belonging to minorities. For instance, in a joint project with the CoE, the EU is currently supporting access by persons belonging to minorities to different government levels in Southeast Europe based on the Council of Europe Framework Convention for Protection of National Minorities and the European Charter for regional or minority languages.

The EU participated actively in the 11<sup>th</sup> session of the UN Forum on Minority Issues held in November, and in the debate on 'Statelessness: A minority issue' it underlined EU support for policies and actions to address statelessness both within the EU and abroad, including through ensuring the birth registration of every single child without discrimination.

The EU continued throughout the year to support the mandates and work of the UN, CoE and other intergovernmental organisations dedicated to persons belonging to minorities, such as the UN Special Rapporteur on Minorities and the OSCE High Commissioner on National Minorities.

In 2018, following the 2017 EIDHR global and country-specific local calls for proposals, several projects worth more than EUR 6.2 million and addressing discrimination against persons belonging to minorities were contracted with the aim of strengthening community-based action through cooperation with local authorities and increased participation in decision-making. Most of the projects are aimed at building legal knowledge on human rights in order to gain political, economic and social rights, and at a better political representation of excluded groups.

The EU is committed to implementing a Rights-Based Approach (RBA) to development cooperation, encompassing all human rights. RBA draws attention to the - possibly unintended - negative human rights impacts of disadvantaging certain groups, of interfering with participation rights and labour rights or of contributing to forced displacement. It embodies the 'do no harm' principle which requires analysis based approaches to fight discrimination in all its forms.

### **Racism, Racial Discrimination, Xenophobia and Related Intolerance**

The reports published in 2018 by the EU Fundamental Rights Agency (FRA) showed that there is no room for complacency when it comes to fighting racism, racist actions, xenophobia and related intolerance within the EU. Information on the internal EU legal framework, on the human rights situation and on the activities and actions developed to combat racism, xenophobia and related intolerance in the EU's external actions was circulated in exchanges of best practices with partner-countries and in multilateral fora. Indeed, in 2018 the European Commission and the EEAS provided a description of the relevant European legal framework on the elimination of racism in a written response to the UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination and Xenophobia, for the preparation of her thematic report on access to citizenship and naturalisation.

In addition, in July the EU prepared a comprehensive response to the Working Group of Experts on People of African Descent (WGEPAD) on the EU's views on a possible UN Declaration on the rights of people of African descent and on their legal situation within the Union. Besides engaging actively with the relevant UN mandate-holders, the EU followed closely all racism-related discussions in the UN Human Rights Council and UN General Assembly, as well as the deliberations of the mechanisms established as a follow-up to the World Conference against Racism held in Durban in 2001.

In November 2018, the European Union became a permanent international partner, which is an observer status without voting rights, to the International Holocaust Remembrance Alliance (IHRA).

Discussions on challenges and on the progress achieved in fighting racism is the mainstay of all human rights dialogues with partner countries as well as in other sector dialogues such as those taking place under bilateral political agreements of the EU.

Furthermore, in the framework of the co-operation with the Council of Europe, the EU co-operates with the European Commission against Racism and Intolerance (ECRI). Inter alia, a representative of the European Commission participates in the ECRI plenary sessions with an observer status while ECRI participates in the EU's High Level Group against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

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

In line with the EU Action Plan on Human Rights and Democracy, the EU is committed to fostering a comprehensive agenda to promote economic, social and cultural rights (ESCR), including work-related rights. Over the last years, the EU has enhanced its work in this field, using all available tools including policy dialogues, engagement in multilateral fora, trade policy as well as development cooperation.

During 2018, the EU continued to pay increased attention to economic, social and cultural rights in human rights dialogues. For example, in the human rights dialogue with Cuba in October 2018, the parties addressed the promotion and protection of cultural rights, and the EU stressed that freedom of artistic expression and entrepreneurship are key for a viable and vibrant cultural sector that can create jobs, develop cultural industries and revitalise cultural heritage.

Under the New European Agenda for Culture, which was adopted in May 2018, the EU highlighted the role of culture in bringing Europeans together and exploiting synergies between education and culture. The Agenda proposes strengthening international cultural relations by making the most of the potential of culture to foster sustainable development and peace.

In 2018, the EU continued to promote the signature, ratification and effective implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR). In the course of the year, the Marshall Islands, Qatar and Fiji ratified the Covenant. At multilateral level, the EU supported and cooperated with several UN Special Rapporteurs working on ESCR, including the UN Special Rapporteurs on adequate housing, health, the right to education and water/sanitation. The EU Member States have submitted a considerable number of initiatives on ESCR in the UN General Assembly and Human Rights Council. For example, Spain and Germany presented a resolution in the Third Committee of the UN General Assembly on human rights to safe drinking water and sanitation.<sup>19</sup>

In the new Council Conclusions on Water Diplomacy adopted in November 2018, the EU confirmed its commitment to the human rights to safe drinking water and sanitation, as components of the right to an adequate standard of living. As part of this commitment, the EU will continue to support and protect HRDs addressing environmental issues.

During 2018, proposals were also selected for the 2017 EIDHR global call on 'Supporting Human Rights Defenders in the area of land-related rights, indigenous peoples, in the context of inter alia 'land grabbing' and climate change.' In June 2018 the EU organised full-day training sessions on ESCR training for EU staff in delegations across the world, focusing inter alia on HRDs in the field of economic, social and cultural rights, including defenders addressing environmental issues.

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<sup>19</sup> Spain and Germany presents a biennial resolution on this topic every other year in HRC and UNGA

Under the EIDHR, the EU also contributed to improved monitoring and to a more effective 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. To this effect, 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, the Development Cooperation Instrument and the European Neighbourhood and Partnership Instrument, and thematic programmes, such as the Food Security Thematic Programme and the Global Public Goods and Challenges. 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.

The EU is a strategic partner of the ILO, a partnership based on a common vision that social and economic progress are interlinked and that the Sustainable Development Goals can only be attained by securing decent work for everyone. In this regard, the EU has contributed USD 256.8 million between 2012 and 2018 to the ILO's development programme, which places gender equality centre stage. The EU also actively participated in the International Labour Conference and in the Governing Body of the International Labour Office. Furthermore, the EU funded capacity-building activities to support partner governments and social partners in implementing international labour standards, including in a trade context.

The EU also actively promoted the ratification and effective implementation of the fundamental conventions of the International Labour Organisation and of the core labour standards under the 1998 ILO Declaration on Fundamental Principles and Rights at Work, in particular through its trade, cooperation, social and external policies. In 2018 Iraq ratified the Freedom of Association Convention, while Suriname ratified the Minimum Age Convention and the Cook Islands ratified the Worst Forms of Child labour Convention. In 2018 Mexico ratified the Collective Bargaining Convention, thereby managing to ratify all eight core labour standards conventions as part of its efforts under the labour provisions of the EU-Mexico Trade Agreement<sup>20</sup>. Furthermore, Bosnia-Herzegovina, Israel, Mozambique and Thailand ratified the 2014 Protocol to the Forced Labour Convention.

Finally, the EU actively contributed to outcomes in the G7 and G20 on preparing for jobs of the future and fostering opportunities for an inclusive, fair and sustainable future of work, including: advancing gender equality; promoting formalisation and decent work; eradicating child labour, forced labour and trafficking in human beings; developing comprehensive social protection strategies and promoting the labour market integration of persons with disabilities.

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

In 2018 the EU continued to address the subject of respect for human rights by businesses as an integral part of their operations, to support the work of human rights defenders and to facilitate access to remedy. It 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), that were endorsed unanimously in 2011 at UN level and consist of three pillars: 'the State duty to protect'; 'the corporate responsibility to respect' and 'access to remedy'. It discussed 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 African Union.

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<sup>20</sup> In April EU and Mexico reached an 'agreement in principle' on the trade part of the planned New Global Agreement between EU and Mexico

The EU continued to promote the UNGPs as the first globally agreed standard for preventing and addressing the risk of human rights abuses linked to business activities. By the end of 2018, 16 EU Member States had adopted National Action Plans on Business and Human Rights, out of 21 States worldwide.

Since the beginning of 2018, 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 Directive as regards disclosure of non-financial and diversity information<sup>21</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 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.'

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<sup>21</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

Furthermore, on 8 March 2018, the European Commission adopted an ambitious EU Action Plan on Financing Sustainable Growth<sup>22</sup> in order to meet the challenge of scaling up private investment that contributes to achieving sustainable and inclusive growth.<sup>23</sup> While most measures relate to the finance sector, one of the key objectives is to promote more sustainable corporate governance of all companies. Corporate governance can significantly contribute to a more sustainable economy, allowing companies to take strategic steps to develop new technologies, strengthen business models and improve performance. Human rights are an important part of sustainability. In this Action Plan, the Commission announced that in 2019 it would carry out analytical and consultative work 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. At the end of 2018, the European Commission launched a study assessing this possible need. This study will also cover issues related to child labour. Under the Action Plan, two legislative proposals were adopted in May 2018<sup>24</sup> which would require financial market participants to disclose information on the integration of sustainability risk in the investment decision-making processes and would establish a framework for facilitating sustainable investments.

Preparations continued for the effective implementation of the EU's Conflict Minerals Regulation<sup>25</sup> (which entered into force in June 2017 and will start applying to EU importers as of 2021). In August 2018, the Commission adopted two sets of non-binding guidelines for i) the identification of conflict-affected and high-risk areas and other supply chain risks, and ii) the implementation of the regulation at national level, notably with regard to forthcoming ex-post checks on EU importers. EU support to the activities of the OECD and the International Conference of the Great Lakes Region pertaining to due diligence guidance on 'conflict minerals' has contributed to the respect of human rights throughout the supply chain.

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<sup>22</sup> COM/2018/097 final

<sup>23</sup> [https://ec.europa.eu/info/publications/180308-action-plan-sustainable-growth\\_en](https://ec.europa.eu/info/publications/180308-action-plan-sustainable-growth_en)

<sup>24</sup> [https://ec.europa.eu/info/publications/180524-proposal-sustainable-finance\\_en](https://ec.europa.eu/info/publications/180524-proposal-sustainable-finance_en)

<sup>25</sup> Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017



In October 2018, the European Commission published a biennial report on the implementation of the EU Timber Regulation<sup>26</sup> for the period March 2015-February 2017. The Regulation was adopted in 2010 and has been applicable since 2013. It prohibits the placing on the EU market of illegal timber and requires operators putting timber and timber products on the EU market for the first time to set up and implement a due diligence system to minimise the risk that the timber may have been harvested in violation of the applicable laws in the country of harvest, including human rights obligations. The report underlines that almost all EU Member States comply with the formal requirements of the Regulation and identifies best practices and possible areas for improvements in the future. In 2018 the Commission also adopted a guidance document on the verification of legality in timber trade<sup>27</sup>. The Regulation is a key action in the Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan of 2003, which aims to reduce illegal logging by strengthening sustainable and legal forest management, improving governance and promoting trade in legally produced timber.

In 2018 the EU chaired the Kimberley Process<sup>28</sup>, a commitment to remove conflict diamonds from the global supply chain, and its plenary convened in Brussels on 12 to 18 November. Since its launch in 2003, the Kimberley Process has contributed towards peace, security and prosperity. It has proven to be an effective multilateral tool for conflict prevention by stemming the flow of conflict diamonds. The Kimberley Process has also had developmental impact in improving the lives of people dependent on the trade in diamonds. The Kimberley Process has been complemented by other initiatives in natural resource governance. The EU is pleased to see that agreement has been reached on the principle of establishing a Permanent Secretariat and looks forward to contributing to defining the modalities<sup>29</sup>.

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<sup>26</sup> Regulation (EU) 995/2010

<sup>27</sup> [Guidance document on the verification of legality in timber trade](#)

<sup>28</sup> The Kimberley Process <https://www.kimberleyprocess.com/>

<sup>29</sup> <https://www.kimberleyprocess.com/en/2018-final-communique-brussels-belgium>

Concerning access to redress mechanisms for victims of abuses, the EU Agency for Fundamental Rights (FRA) started work on a study on 'Improving access to remedy in the area of business and human rights at the EU level'<sup>30</sup>, as a follow-up to its opinion published in April 2017. In this context FRA has been collecting 'information on judicial and non-judicial mechanisms in EU Member States concerning access to remedy for victims of business related violations.' The results of the study will be available in 2019. One option being discussed concerns the potential addition to the European e-Justice Portal of an information page on redress<sup>31</sup>.

Development cooperation plays a specific 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' (COM(2014)263). The EU supported a wide range of projects related to Corporate Social Responsibility (CSR)/Responsible Business Conduct (RBC) and sustainable production and consumption, supporting key actors in developing countries, including through multi-stakeholder partnerships.

The EU continued to provide support to civil society and social partners in the implementation of the UNGPs through the EIDHR. In 2018, EU Delegations started to implement numerous projects specifically aimed at strengthening the capacities of rights holders to deal with corporate human rights abuses by reporting them (for example in Nicaragua, Tanzania, Peru, Indonesia, Guatemala, Paraguay, Colombia) or participating in the drafting of their National Action Plan (for example in Pakistan). The EU is also supporting the ILO to set up the Indigenous Navigator; a web portal enabling Indigenous Peoples to monitor and build databases on business human rights violations in their native land. This tool will enable these endangered communities to effectively advocate for their rights. The EU has also started to support projects to increase the capacities of human rights defenders to use human rights mechanisms on issues related to land-grabbing in Peru, Nepal and the Philippines. The EU is increasingly collaborating with National Human Rights Institutions (NHRIs) to promote an enabling environment for sustainable development. NHRIs act as accountability mechanisms in implementing the SDGs. Similarly, giving marginalised communities a voice increases the potential for non-discrimination and equal access.

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<sup>30</sup> [Improving access to remedy in the area of business and human rights at the EU level, 2017](#)

<sup>31</sup> <https://e-justice.europa.eu/>

The EU has integrated commitments to promote responsible business practices and corporate social responsibility into all recently concluded free trade agreements, e.g. the EU-Japan Economic Partnership Agreement and the Trade part of the modernised EU-Mexico Global Agreement. The latter includes a self-standing article on Trade and Responsible Management of Supply Chains with commitments from the Parties to support the dissemination of relevant international instruments such as the UNGPs. This focus on responsible business practices is also translating into concrete implementation activities. For example, in the context of the EU-Central America free trade agreement, the EU organised conferences and workshops on responsible business practices, including one in May 2018 in Guatemala. The event brought together policymakers, business, trade unions and civil society. The event contributed to establishing close partnerships with international organisations such as the International Labour Organisation (ILO) and the Organisation for Economic Co-operation and Development (OECD), to raising awareness and to promoting international guidelines and best practices on Responsible Business Conduct. Outreach and capacity building activities in close cooperation with international organisations and civil society are at the core of the implementation of these provisions.

The EU has created **pilot partnerships with international organisations** such as the ILO, the OECD and the OHCHR. It is, for instance, providing technical support to implement due diligence and develop National Action Plans in nine Latin American countries through a project starting in January 2019. Another Partnership Instrument project - developed by the EU together with the OECD and the ILO – aims to promote responsible supply chains in six of the EU's key trading partners in Asia and started in January 2018. In Africa, the EU is supporting the African Union (AU) Commission in developing an AU Policy Framework on the Implementation of the UNGPs.

Within the multilateral framework, the EU contributed to the work of the UN Working Group on Business and Human Rights and was an active participant in the seventh UN Forum on Business and Human Rights, focusing on 'Business respect for human rights – building on what works' in November 2018. The EU continued to support the core group on Business and Human Rights (Argentina, Ghana, Norway and the Russian Federation) and to play a leading role in the Human Rights Council in fostering the implementation of the UNGPs. The EU supported HRC resolution 38/13 adopted in July 2018 allowing for the continuation of the OHCHR-led Accountability and Remedy Project with a focus on non-State-based grievance mechanisms, bearing in mind the collective responsibility to make full use of the findings and recommendations of the first two legs of this project on judicial mechanisms and State-based non-judicial mechanisms<sup>32</sup>. Despite procedural shortcomings, the EU engaged in the fourth session of the Intergovernmental Working Group (IGWG) in October 2018, and while not entering into negotiations, reiterated that the discussions should not be limited to transnational companies, as many abuses are committed by enterprises at domestic level. The EU and its Member States also supported – including through financial contributions - the OECD's horizontal and sectoral work on due diligence, in particular the May 2018 Due Diligence Guidance for Responsible Business conduct.

The EU followed closely a number of multi-stakeholder initiatives contributing to the implementation of the UNGPs. The EEAS supported the Mega-Sporting Events Platform led by Mary Robinson, and the launch of the new Centre for Sport and Human Rights in Geneva in June 2018. The EU, as member of the Group of Friends of the co-Chairs of the Montreux Document Forum (Switzerland, ICRC), participated in the Working Group on the International Code of Conduct for Private Security Service Providers' Association (ICoCA), a Geneva-based oversight mechanism with three functions: certification, monitoring and handling of complaints.

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<sup>32</sup> <https://www.ohchr.org/EN/Issues/Business/Pages/OHCHRaccountabilityandremedyproject.aspx>

Finally, the EU continued to promote CSR/RBC and Business and Human Rights as part of the wider work on SDG implementation. Under the framework of the multi-stakeholder platform on the implementation of the Sustainable Development Goals in the EU, which was created by the Commission<sup>33</sup>, a specific subgroup on Corporate Social Responsibility was set up in early 2018. The implementation of the SDGs and Agenda 2030 is intertwined with the implementation of the UN Guiding Principles on Business and Human Rights and the related platform's subgroup issued recommendations on how to ensure coherence. The EU also organised a specific multi-stakeholders event on business and human rights in June 2018 to identify the gaps and areas for improvement in the implementation of the UNGPs. The Commission has been carrying out a stocktaking exercise on Corporate Social Responsibility and Business and Human Rights implementation.

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

### **Integrating Human Rights in conflict prevention, crisis management and transitional justice**

The continued emergence and proliferation of conflicts in the world calls for a redoubling of efforts on conflict prevention and resolution. Violations of human rights both contribute to the emergence, re-emergence and escalation of conflict and crises and often occur in the aftermath of conflicts. Breaches of international humanitarian and human rights law often afflict the most vulnerable in society and it is an important objective and core commitment of the EU to strive to ensure protection of human rights and accountability for violations of international human rights law and international humanitarian law in all phases of conflict.

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<sup>33</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Next steps for a sustainable European future European action for sustainability, COM(2016) 739, 22 November 2016

During 2018 the EU integrated approach to conflicts and crises was strengthened to contribute to the implementation of the EU Global Strategy, with the aim of bringing together Member States, relevant EU institutions and other actors to address all dimensions and stages of a conflict - in prevention, crisis response, stabilisation and longer-term peacebuilding - in order to contribute to sustainable peace. The EU has worked to increase its efforts in the area of conflict prevention in line with the EU Global Strategy, as well as in line with the Joint Communication on Resilience 2017, the EU Consensus on Development and the EU Strategic Approach to Women, Peace and Security. Human rights protection and the prevention of human rights violations is a key aspect of this work. The EU Conflict Early Warning System (EWS), as an evidence-based risk management system which helps to identify, assess and prioritise situations at risk of violent conflict, has remained an important tool in enabling early action for prevention of conflict and human rights violations. In line with the EU commitment to the principle of the Responsibility to Protect, an Atrocity Prevention Toolkit as part of the EU Responsibility to Protect has been put in place to assist EU staff in recognising and responding to atrocity crimes where these are at risk of occurring.

A focus on the security-development nexus entails great investment in conflict prevention and peacebuilding with a clear focus on human rights, democracy and the rule of law as integrated parts of a global approach to development. The new European Consensus on Development provides a solid strategic framework for the EU and its Member States to use a full range of policies and instruments to prevent, manage and help resolve conflicts and crises, and build lasting peace and good governance, in line with the principles of the integrated approach. Human rights and gender mainstreaming are ensured in all development programmes in this area, together with conflict sensitivity and resilience. This is in line with the EU Consensus on Development (paragraph 68), which recommends that the EU and its Member States pay particular attention to fragile and conflict-affected states and will support the most vulnerable by promoting and protecting human rights, democracy, the rule of law and good governance, as well as by integrating conflict sensitivity into the EU's and Member States' efforts to maximise the positive impact on peace.

The principle of human security is the main building block of the 2016 EU Security Sector Reform strategy. National security systems must ensure security of individuals, in particular the specific security needs of women, minors, the elderly and minorities in order to ensure effective and equal access to security services for all.

The EU furthermore continued to work with our partners to strengthen the protection of children in armed conflict. The EU has been engaged in a comprehensive range of projects to provide assistance to children in conflict situations, inter alia through supporting efforts to prevent recruitment and use, secure the release, and ensure the reintegration of child soldiers through long-term interventions. The EU continued its close cooperation with the UN Special Representative of the Secretary General for Children and Armed Conflict, and participated in the annual UN Security Council debate on Children and Armed Conflict.

### **Reincorporation of child combatants in Colombia**

The EU is supporting the long-term reintegration of child soldiers and combatants from FARC and other armed groups as part of our commitment to the Colombian peace process, also to prevent their re-recruitment. Currently the EU is working with UNICEF and a wide range of Colombian and international NGOs to allow children and teenagers to find a safe way back into civilian life, away from violence, abuse and conflict. The EU is also working on prevention of forced recruitment of minors in order to mitigate the impact of new forms of violence on young Colombians.

Human rights violations are often part of the conflict dynamics of the contexts in which EU Common Security and Defence Policy (CSDP) missions and operations are active. The first progress report on the implementation of the recommendations of the Baseline Study Report on the Integration of Human Rights and Gender into CSDP, endorsed by Member States in 2017, showed that progress had been made in the first year in the key areas identified by the findings of the study. In line with key commitments in the area, the EU has unremittingly continued its work to ensure human rights and gender mainstreaming are integrated into all phases of planning, implementation and review of missions and operations. This has, inter alia, led to the creation of new positions on strengthening human rights and gender mainstreaming in both civilian and military missions during the year. Efforts to develop further operational guidance on human rights and gender for missions have continued, including through the adoption of the Civilian Operations Commanders Operational Guidelines for Mission Management and Staff on Gender Mainstreaming. Human rights are an integral part of the overall European Security and Defence College training programme on CSDP as well as in training provided for staff in-mission. The training programme is constantly being developed and new specialised courses seek to further enhance expertise among current and potential mission staff. In early 2018, the upgraded Generic Standards of Behaviour for CSDP Missions and Operations were approved by the Council. The document has a strong emphasis on human rights and gender perspectives and contains strengthened provisions to tackle harassment, sexual harassment and other gender-based violence. The promotion and protection of human rights furthermore feature as an integral part in all CSDP external engagement, including in advising, mentoring and training of partners in host States. Human rights protection, compliance with international humanitarian law and the implementation of the Women, Peace and Security agenda as cross-cutting aspects are also increasingly included in established partnership structures, as confirmed during the year by the EU-UN Strategic Partnership on Peace Operations and Crisis Management Priorities 2019-2021. The Women, Peace, and Security agenda is linked to the Integrated Approach to Conflict and Crisis and to the EU Gender Action Plan II; this link is underlined also by the new EU Strategic Approach to Women, Peace and Security.



In 2018, the EU continued to implement the EU Policy Framework on transitional justice. Several policy documents explicitly referred to transitional justice, both thematic and geographic. The Integrated Approach on External Conflicts and Crises, adopted in January 2018, recognises transitional justice as one of the 10 common aspects of the full conflict cycle. The Council conclusions on Iraq (January 2018), South Sudan (April 2018), and the Central African Republic (October 2018) contain clear language regarding the importance of transitional justice processes. The European Commission Communication 'A Credible enlargement perspective for and enhanced EU engagement with the Western Balkans' issued in February 2018 points to the relevance of transitional justice in the wider context of reconciliation and, more broadly, the accession process as a whole.

Several policy dialogues took up transitional justice developments, e.g. with Nepal, The Gambia, Sri Lanka, Tunisia and Bosnia-Herzegovina. Financial support was provided under geographic and thematic instruments; an operational facility was set up, funded under the 'Instrument contributing to Stability and Peace' and focusing on Justice in Conflict and Transition, and will be operational early 2019.

An expert seminar took place on 3 December 2018, bringing together representatives from several EU institutions, the UN, several Member States and civil society, to take stock of the implementation of the EU Policy Framework on transitional justice. The UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence delivered a keynote speech at this event; contacts have intensified between the EU and his office to actively support this mandate.

### **International Criminal Court**

The EU continued its efforts to ensure that perpetrators of genocide, war crimes and crimes against humanity are held accountable for their actions, and to achieve justice for victims of atrocities. In that context, the EU continued to provide political support to the International Criminal Court (ICC)<sup>34</sup>.

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<sup>34</sup> In accordance with Council Decision 2011/168/CFSP of 21 March 2011 and the 2011 Action Plan on its implementation

On the occasion of the 20<sup>th</sup> anniversary of the adoption of the Rome Statute the EU adopted Council conclusions (16 July 2018) reaffirming its unwavering support for the ICC and its commitment to renew efforts to promote the universality and preserve the integrity of the Rome Statute. The EU has also supported several events to celebrate the 20<sup>th</sup> anniversary, including a diplomatic conference in Brussels in June 2018, focused on the ICC, to take stock on achievements but also to reflect on the future of the ICC and of global justice. Support for the ICC has also continued in multilateral fora such as the UN Security Council and the UN Human Rights Council.

The EU has continued to make every effort to promote the universality of the Rome Statute, in particular in its human rights dialogues, through *démarche* campaigns worldwide, the systematic inclusion of a clause in agreements with third countries encouraging the ratification of, or accession to, the ICC Statute, through offering implementation assistance, or through financial support to CSOs advocating the universality of the Rome Statute. One example of this support is the EU-financed project 'Parliamentary Campaign for the Effectiveness and Universality of the Rome Statute of the International Criminal Court System', implemented by Parliamentarians for Global Action.

The EU continued to support the ICC also through a direct EIDHR grant (EUR 1 million) aimed at broadening the understanding of the ICC and the Rome Statute amongst the key stakeholders, in particular ICC States Parties and legal professionals, and at reinforcing national capacities for dealing with crimes under the Rome Statute, particularly in situation countries. The main activities include seminars, events and training for fostering cooperation, sharing expertise and building national capacity, regional seminars for fostering cooperation, as well as technical events/trainings for legal professionals on issues related to cooperation, such as witness protection, investigations, freezing of assets, arrest and surrender, implementing legislation and ratification of the Rome Statute.

### **International Humanitarian Law**

The EU remained engaged in the promotion of respect for international humanitarian law and reaffirmed its strong stance on the protection of civilians in armed conflicts.

The EU also remained a strong supporter of the intergovernmental process, co-facilitated by Switzerland and the International Committee of the Red Cross (ICRC), on finding concrete ways to strengthen respect for IHL ahead of the 33<sup>rd</sup> International Conference in 2019.

The EU continued to be active in promoting respect for IHL across the various areas covered in the EU Guidelines on promoting compliance with International Humanitarian Law. In April 2018, the EU published the first report on the implementation of the Guidelines, covering the period between July 2016 - June 2017, and demonstrating more visibly the wide range of measures the EU undertakes in support of IHL.

The EU also dedicated particular attention to the protection of humanitarian and medical workers. It continued to facilitate the negotiations of the UNGA Resolution on the Safety and security of humanitarian personnel and protection of United Nations personnel. It also co-organised a high-level Side Event on 'Civilians Under Fire: Humanitarian Protection and Respect for IHL' at the annual UN General Assembly meeting in September, drawing attention to the consequences of IHL violations on civilians, with a focus on humanitarian action, medical care, and education.

The EU supported the development of international humanitarian law by contributing to the work of the UN International Law Commission (ILC), for example by providing comments on the ILC draft articles on crimes against humanity.

The EU continued to support the work of the ICRC, one of the EU's most trusted humanitarian partners, and a key partner in upholding respect for IHL and humanitarian principles. In 2018, the ICRC received approximately EUR 136 million in funding from the EU's humanitarian aid budget.

The EU, through its funding for Geneva Call, also supported the promotion of respect of IHL among all types of armed non-state actors in a number of countries such as Iraq, Syria and Yemen. In these countries, widespread and systematic violations of IHL have been reported on a daily basis and humanitarian access has been a major challenge. Contributing to the prevention of such violations is a key pre-emptive measure in saving human lives and limiting the suffering of civilians. The EU also supported Geneva Call to reinforce the humanitarian community's capacity to negotiate access with armed, non-state groups and promote their compliance with IHL in armed conflict, at global level.

The EU also promoted capacity-building on IHL. For example, it organised a workshop on promoting and ensuring compliance with IHL and gender in the context of CFSP/CSDP, with a specific focus on Mali, Somalia and CAR, given the presence of the three current EU Training Missions.

### **Counter-Terrorism and the prevention of and countering violent extremism (CT/P-CVE)**

In its comprehensive conclusions on EU External Action on Counter-Terrorism of June 2017, the Foreign Affairs Council stated that 'terrorism constitutes one of the most serious global threats to international peace, security and human rights'<sup>35</sup>. The Council also stressed the importance of taking a criminal justice approach to the fight against terrorism and providing support to partner countries to strengthen their criminal justice response in compliance with international law, including international human rights law. This strong commitment to human rights in counter-terrorism was reiterated in the 2017 G20 Action Plan on Countering Terrorism.

In 2018, the EU was 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 values enshrined in the United Nations Charter and set out in the European Union Counter-Terrorism Strategy<sup>36</sup>.

In October 2018<sup>37</sup>, the EU again issued a call 'to strengthen the capacity to prevent and respond effectively to radicalisation and terrorism, in full respect of fundamental rights', whether those activities take place within its own borders or in third countries. In addition, in its conclusions of 10 December 2018 on Women, Peace and Security, the Council stressed the need to ensure that EU Member States' and EU partners' counter-terrorism measures do not 'negatively affect, limit or impact women's rights'.

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<sup>35</sup> Council Conclusions on EU External Action on Counter-Terrorism (19 June 2017)

<sup>36</sup> Council of the European Union, 30 November 2005: The European Union Counter-Terrorism Strategy

<sup>37</sup> European Council conclusions, 18 October 2018

Through regular CT political dialogues and security dialogues with priority countries, as well as through multilateral coordination<sup>38</sup>, the EU systematically encourages partners' efforts in this regard, while stressing that CT/P-CVE policy should not be a pretext for cracking down on human rights and fundamental freedoms.

In line with the Global Strategy, and through targeted political dialogue and counter-terrorism partnerships, the EU has strengthened its cooperation with priority partners, including Republic of Korea, Russia, Kuwait, Australia, Georgia, Azerbaijan, India and Pakistan. Besides its traditional partners in the Middle East, North Africa, the Sahel, the Horn of Africa, Turkey and the Western Balkans, the EU has also 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 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 stresses 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 wishes to be at the forefront of encouraging its partners to act against hate speech, religious intolerance and divisive rhetoric.

In addition, on 25 May 2018 the EU and the UN held their first CT Political Dialogue since the establishment of the United Nations Office of Counter-terrorism (UNOCT). As a follow-up, the EU and the UN are discussing the adoption of a joint framework on counter-terrorism that aims to allow both parties to engage in a more structured and focused counter-terrorism partnership and to prevent violent extremism. This enhanced cooperation is based on a shared commitment to promoting multilateralism to address terrorism as well as on a common belief in the need to strengthen international law and standards.

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<sup>38</sup> Including with the UN, GCTF (Global Counterterrorism Forum), FATF (Financial Action task-force), G7 Roma/Lyon Group, the Global Coalition against Da'esh and the OSCE.

In 2018 the EU also continued to ensure the effective implementation of a Rights-Based Approach, as mainstreamed in several guidelines on EU External Cooperation Actions Addressing Terrorism. The three P-CVE institutions (the Hedayah 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 Hedayah Institute and GCERF to effectively challenge radicalisation and recruitment to violent extremism at local level, while continuing to respect human rights and international law.

Furthermore, the EEAS manages the network of regional CT/security experts deployed in EU Delegations in 18 priority countries. 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. One new regional CT expert position was opened in 2018 in Kyrgyzstan, reflecting our new CT/P-CVE priorities in Central Asia.

Lastly, several civilian CSDP missions including the EU Capacity Building Mission in Mali (EUCAP Sahel Mali) and the EU Advisory Mission in Iraq (EUAM Iraq), launched in 2014 and 2017 respectively, 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.

## 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 2018. The EU continued to protect and promote these rights through existing policy and legislative frameworks. The EU continued to work relentlessly, inside and outside the EU, in close cooperation with our Member States, our international partners, civil society organisations and local communities to save lives, to provide protection, to fight migrant smuggling, but also to create safe and legal pathways to Europe 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 requires global, cooperative alliances with countries of origin, transit and destination and international organisations. In December 2018, the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees were adopted by the UN General Assembly as non-legally binding international cooperation frameworks which can contribute to strengthening the international response to migration flows and refugee situations in full respect of the sovereignty of each State.<sup>39</sup>

In our relations with partner countries, the EU continued to underline the importance of compliance with international refugee law including the principle of non-refoulement, respect for human rights law, upholding international legal standards to address trafficking in human beings, and the protection of migrants, asylum seekers and refugees against other abuses including discrimination, racism and xenophobia and remained steadfast in its commitment to guarantee the right to seek asylum.

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<sup>39</sup> Not all Member States voted in favour at the UN General Assembly.

Building on initiatives launched in 2017, the EU's policies generated clear results for the promotion and protection of migrants' rights. The trilateral EU-African Union-UN Task Force created in November 2017 is a concrete, positive example of the new paradigm whereby we work in partnership with the AU, the UN and third countries in jointly addressing global migration. Between the beginning of 2017 and the end of 2018, through the joint efforts of IOM and UNHCR, with the support of the African Union and concerned African Consulates, around 37 000 people have been able to return home with reintegration support, whereas almost 3 000 people have been evacuated from Libya in view of their onward resettlement or other long-term solutions. In 2018, we continued our efforts to improve the dire situation of migrants, asylum seekers and refugees stranded in Libya, including through the provision of medical assistance at disembarkation points, detention centres and host communities.

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 professional standards and international legal obligations. This support includes the Seahorse Mediterranean Network project, a project to support the 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 325 Libyan Coastguards in order to enhance their capacity to carry out search and rescue operations at sea. An essential element of the training is dedicated to international humanitarian law, and appropriate treatment of rescued persons, delivered jointly with the IOM and UNHCR.

Since migrants en route to Europe continue to face dangerous journeys, the EU has established concrete operations to help migrants, asylum seekers and refugees in distress at sea. Between 2015 and the end of 2018, EU operations have contributed to saving almost 700 000 lives. The EU's operations have also allowed us to combat human traffickers and smugglers. This is notably the case of Operation Sophia, which has so far contributed to the apprehension of 151 suspected smugglers and traffickers and has neutralised some 551 assets.



Conflicts, violence, environmental degradation, climate change and natural and man-made disasters continue to drive people to flee their homes. By the end of 2017, the total number of people who had had to flee their home stood at more than 68.5 million. As a global player, the EU acted to tackle and solve the main crises through diplomatic means. As the leading global 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 to Colombia to the Horn of Africa, while responding to emerging crises, such as the displacement of the Rohingyas. In 2018, the EU provided EUR 46 million in emergency assistance for the Rohingya crisis in Bangladesh and Myanmar/Burma in the form of basic health care, water, sanitation, shelter, nutrition, protection, psychological support and disaster preparedness for the monsoon season. Since 2017 the EU has disbursed, for both Bangladesh and Myanmar/Burma, about EUR 70 million for the Rohingya crisis response.

The EU quickly adapted to emerging crises such as the Venezuelan refugee and migration crisis. According to the UN, more than 3 million Venezuelans have left their country since 2015 and are seeking support in neighbouring countries. Accordingly, in 2018 the European Commission allocated EUR 55 million to respond to the urgent needs of those affected by the socio-economic crisis in Venezuela. Support focuses on helping the most vulnerable, and supporting the reception capacities of the host communities in the region. The EU's assistance, delivered through partners on the ground, focuses on emergency healthcare, food aid, shelter and protection for the most vulnerable families affected by the crisis.

In response to the crisis in Syria, the EU and its Member States allocated over EUR 16.954 billion to provide assistance inside Syria and to assist those who fled to neighbouring countries and need support to access education, healthcare and basic needs.

In an effort to support Turkey in hosting 4 million refugees, the Facility for Refugees in Turkey<sup>40</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. The EU is currently implementing mobilisation of the funds, with an additional EUR 3 billion to be committed in 2018-2019.

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<sup>40</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 4.2 billion, allowed the EU and its Member States to work jointly with African partners faster and with more flexibility, resulting in greater efficiency. The actions 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 relevant policy instruments, ranging from security to migration, justice, equality, anti-discrimination, fundamental rights, employment, and development<sup>41</sup>. 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. The EU has also provided funding to anti-trafficking actions in non-EU countries through its external financing instruments.

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<sup>41</sup> For example: the European Agenda on Migration, the European Agenda on Security, the Global Strategy for the EU Foreign and Security Policy, the Action Plan on Human Rights and Democracy, the Action Plan on Gender Equality and Women's Empowerment and the Strategic Engagement for Gender Equality

On 4 December 2018, the Commission published the Second report on the progress made in the fight against trafficking in human beings<sup>42</sup>, as required by the Anti-trafficking Directive, with its accompanying Staff Working Document<sup>43</sup>, and the Study on EU-wide data collection on trafficking in human beings<sup>44</sup>.

## Trade

In tandem with other EU external policies, trade policy can help to promote and protect human rights in third countries. It involves various trade policy instruments including the EU's unilateral trade preferences, bilateral and regional free trade agreements, trade impact assessments and evaluations, various trade-related projects, aid for trade, global efforts to ensure torture-free trade, and export control policy.

The EU's current Generalised Scheme of Preferences (GSP) Regulation has been in force since 1 January 2014 and continues to provide the world's most generous unilateral trade preferences to support economic development in developing countries.

In 2018, nine countries (Armenia, Bolivia, Cape Verde, Kyrgyzstan, Mongolia, Pakistan, Paraguay,<sup>45</sup> the Philippines and Sri Lanka) benefitted from the advantageous trade preferences under the so-called GSP+ arrangement. This requires beneficiary countries to ratify and effectively implement 27 international conventions, including in relation to human rights and core labour standards. To collect information on compliance with these conventions and raise awareness of the benefits and obligations under GSP+, dedicated GSP+ monitoring missions were organised to Kyrgyzstan, Pakistan and the Philippines.

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<sup>42</sup> [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204\\_com-2018-777-report\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204_com-2018-777-report_en.pdf)

<sup>43</sup> [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204\\_swd-2018-473-commission-staff-working-document\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204_swd-2018-473-commission-staff-working-document_en.pdf)

<sup>44</sup> [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204\\_data-collection-study.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204_data-collection-study.pdf)

<sup>45</sup> Paraguay was removed from the list of beneficiary countries of both GSP+ and GSP as from 1 January 2019, see Commission Delegated Regulation (EU) 2018/148 of 27 September 2017.

The Commission also undertook 'enhanced engagement' of three beneficiary countries (Bangladesh, Cambodia and Myanmar/Burma) under the 'Everything But Arms' (EBA) arrangement. EU Trade Commissioner Cecilia Malmström publicly shared her deep concerns about the deterioration of the human rights situation including core labour standards in both Cambodia and Myanmar/Burma.

In January 2018, the Commission published its second biennial report on the implementation of the GSP Regulation<sup>46</sup>, accompanied by a Staff Working Document covering GSP+ country assessments. Also in 2018, the Commission published its Midterm Evaluation of the current GSP Regulation<sup>47</sup>. The review found that most GSP+ and standard GSP countries have improved their ranking in the Social Progress Index (SPI), which measures changes in social rights and entitlements across a range of countries. The review also identified important progress across a number of social and human rights indicators in four country case studies (Bangladesh, Bolivia, Ethiopia and Pakistan). Additionally, the mere prospect of obtaining GSP+ status was found to have contributed to Sri Lanka and Pakistan ratifying outstanding human rights conventions.

The EU's free trade agreements concluded with third countries after 2009 are linked to the human rights 'essential elements' provisions that are contained in the political framework agreements with these countries<sup>48</sup>. The EU's modern free trade agreements also contain provisions on trade and sustainable development: these include obligations in terms of the ratification and effective implementation of core multilateral (ILO) labour right conventions. Recent examples of this approach are provided by the free trade agreements that the Commission negotiated with Mexico and Vietnam<sup>49</sup>. The EU is also starting to pay increasing attention to the gender dimension of trade, for instance in the context of the ongoing negotiations on the modernisation of the EU-Chile Association Agreement.

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<sup>46</sup> See: <http://trade.ec.europa.eu/doclib/press/index.cfm?id=1783>

<sup>47</sup> See: [http://trade.ec.europa.eu/doclib/docs/2018/august/tradoc\\_157270.pdf](http://trade.ec.europa.eu/doclib/docs/2018/august/tradoc_157270.pdf)

<sup>48</sup> Such agreements often come in the form of 'partnership & cooperation' or 'association' agreements.

<sup>49</sup> In October 2018, this agreement was presented for approval by the Council and the European Parliament.

The EU is committed to assessing impact on human rights in Impact Assessments (IA), Sustainability Impact Assessments (SIA) and other types of evaluations. A special tool for assessing the human rights impact of trade policy was used in all assessments carried out in 2018. SIAs were conducted for the EU-China Investment Agreement, the planned update (modernisation) of the EU-Mercosur Association Agreement, the EU-Chile Association Agreement and the EU-Mexico Global Agreement, as well as for the planned free trade agreements between the EU and Indonesia, the Philippines and Malaysia respectively. Moreover, in 2018 two ex-post evaluations were conducted: the Midterm Evaluation on the EU's Generalised Scheme of Preferences Regulation and a review of the free trade agreement between the EU and the Republic of Korea.

The EU provides support to relevant trading partners including several of the GSP+ beneficiaries (Armenia, Cape Verde, Kyrgyzstan, Mongolia, Pakistan, Paraguay, the Philippines and Sri Lanka) through grants to the International Labour Organisation, thus contributing to the implementation of the ILO core labour rights conventions. The EU also supports capacity-building in order to comply with reporting obligations.

The EIDHR also includes dedicated support of EUR 4.5 million to empower civil society actors to contribute to the monitoring and effective implementation of the 27 relevant conventions ratified by GSP+ beneficiary countries.

In 2018, the EU continued work on the Sustainability Compact for continuous improvements in **labour rights and factory safety in the garment and knitwear industry in Bangladesh**. In addition to regular exchanges and monitoring activities on the ground, a fourth high-level follow-up meeting of the Compact took place on 25 June 2018 in Brussels. In the presence of EU Trade Commissioner Cecilia Malmström, the Bangladesh Commerce Minister Tofail Ahmed and ILO Deputy Director-General Deborah Greenfield, the meeting covered progress made in implementing the Compact. The event allowed for open exchanges with workers and employers, manufacturers, retailers, representatives from other partners as well as civil society organisations. On 26 June 2018, an EU-OECD workshop was held on responsible purchasing practices, with a specific focus on Bangladesh to support dialogue between businesses across garment supply chains.

The EU also continued providing support to the Initiative to Promote **Fundamental Labour Rights and Practices in Myanmar/Burma**, supported by Myanmar/Burma, Denmark, the EU, Japan, the United States and the ILO. The third Stakeholder Forum under the Initiative took place on 17-18 January 2018 in Nay Pyi Taw, Myanmar/Burma. Building on the previous two fora, the event brought together representatives of labour, business, government and civil society.

The EU also continued to promote fair and ethical trade schemes. In June 2018, the European Commission awarded the first ever 'EU Cities for Fair and Ethical Trade' Award to the City of Ghent. In addition, a network of EU Cities engaged in fair and ethical trade was set up to share ideas and promote initiatives across Europe. The Commission also requested that the International Trade Center (ITC) conduct a market study assessing demand for sustainably-sourced products in the EU.

The EU's Aid for Trade Report 2018 reviewed progress made in implementing the EU's updated Aid for Trade Strategy, which aims to facilitate synergies between aid, trade and investment in order to promote sustainable economic development, create decent jobs and reduce poverty. The report not only reveals quantitative increases in aid for trade (the EU and its Member States collectively remain by far the world's leading provider of aid for trade, accounting for almost a third of the world's total), but also describes how the updated Strategy is being translated into the EU and Member States' project work on the ground.

In **Pakistan**, a GSP+ beneficiary country, the EU is supporting implementation of international labour and environment standards (ILES), notably in the textile and leather sectors. The EU trade-related assistance programme (2016-2022), implemented with the ILO, is working at all levels – the government, industry associations, workers and employers, as well as private sector actors, notably SMEs in the textile and leather sectors – to enhance overall capacities to comply with ILES standards.

The new trade-related technical assistance programme for **Laos** incorporates the gender indicators of the country's National Socioeconomic Development Plan 2016-2020 (numbers of women business owners, gender equality in employment, gender equality in training and education etc.). Activities under the programme will build on the work of the Laos Women's Union to promote laws on developing and protecting women, such as the Convention on Eliminating All Forms of Discrimination Against Women (CEDAW).

In the context of the Alliance for Torture-Free Trade – led by the EU, Argentina and Mongolia and supported by some sixty like-minded countries – the Union continued efforts to ban or control worldwide trade in products used for torture and capital punishment.

The Commission also engaged with partners to promote a global instrument covering trade in these sensitive technologies and it assisted some 35 countries in strengthening national export control systems.

With respect to EU export controls, negotiations continued on the legislative proposal to modernise EU dual-use export controls to address ICT products that might be used for human rights violations.

## Development Cooperation

The EU continued to mainstream its rights-based approach to promoting human rights, democracy and the rule of law through development cooperation. In this way 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 rights - into development cooperation. This is in line with the principles of the Global Partnership for Effective Development Co-operation<sup>50</sup> (in particular transparency, accountability, inclusive partnerships and local ownership) and helps the EU to deliver on the principles set out in the Treaties, i.e. indivisibility of human rights, democracy, the rule of law, respect for human dignity and equality. The EU commitment to the rights-based approach is renewed, and reinforced in the new European Consensus on Development, adopted in June 2017<sup>51</sup>.

Integrating human rights and democracy in development cooperation and promoting them through a rights-based approach also helps to build resilient societies and to reduce potential conflicts. This is worth bearing in mind, not only on the 70<sup>th</sup> Anniversary of the Universal Declaration. This approach is of central importance as it helps to deliver on the EU priority on conflict prevention, as reflected in the Global Strategy, adopted in 2016. Experience has shown that a key to preventing societies from descending into crisis is to underpin their resilience through respect for human rights and to invest in inclusive and sustainable development.

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<sup>50</sup> Busan Partnership for Effective Development Co-Operation Fourth High Level Forum on Aid Effectiveness, Busan, Republic of Korea, 29 November–1 December 2011

<sup>51</sup> 'The New European Consensus on Development – Our World, Our Dignity, Our Future', adopted jointly by the Council, the European Parliament and the Commission



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

Civil society organisations are indispensable partners in building just, equitable and resilient societies, both as implementing partners and, even more importantly, as watch dogs and advocates who can defend human rights, democracy and the rule of law. The EU and its Member States extend significant political, financial and technical support to civil society organisations.

## **16. EU INSTRUMENTS**

### **Human Rights Guidelines**

The EU has adopted 11 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 to guide EU actors throughout the world when implementing EU human rights priorities at local level. In 2018, three sets of guidelines were under preparation for adoption in 2019.

The following guidelines were adopted by the Council:

- 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)
- Guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons (2013)
- EU Guidelines on Death Penalty: revised and updated version (2013)
- Guidelines to EU Policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment - an update of the guidelines (2012)
- 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. 125 country strategies were fully updated for 2016-2020, and incorporate focused democracy analysis. Among these strategies, the rule of law is the most frequently identified priority, followed by women's rights, democracy, the rights of the child and civil society. 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 have been established with an increasing number of countries: they constitute a key instrument enabling the EU to engage bilaterally on human rights, including on themes such as torture and other cruel, inhuman or degrading treatment or punishment, the death penalty, freedom of religion or belief, freedom of expression online and offline, the rights of persons with disabilities, gender equality and women's rights and the rights of the child, fundamental rights and principles at work, and cooperation in multilateral fora. Consultations are carried out with civil society prior to the human rights dialogues, and debriefings are held on the outcomes. Dedicated civil society seminars take place back-to-back with a number of human rights dialogues.

### **The 14<sup>th</sup> EU-AU Human Rights Dialogue**

The year 2018 was marked by another constructive African Union (AU) – European Union (EU) Human rights dialogue, led by Stavros Lambrinidis, the EU Special Representative for Human Rights.

The dialogue took place on the centenary of the birth of Nelson Mandela, and honoured his legacy. The two parties reaffirmed their full support for the 10-year action plan of the Human and People's rights decade in Africa. Recent developments were discussed, such as the African commission (ACHPR) and the African Court on Human and Peoples' Rights (AfCHPR) as well as the AU Advisory Board on Corruption (AUABC). Both parties agreed to step up their efforts to abolish the death penalty in line with the Protocol to the Charter on abolishing the Death Penalty in Africa. The EU and the AU commended the theme of the AU for 2018: 'Winning the Fight against Corruption: a Sustainable path to Africa's Transformation' consistent with the AU Agenda 2063<sup>52</sup> and the 2030 Agenda. Finally, the EU and the AU reaffirmed their commitment to promoting an effective multilateral system.

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<sup>52</sup> <https://au.int/en/agenda2063>

In 2018, the EU held Human rights dialogues and consultations with 46 partner countries, and regional groupings (AU). The EU held a human rights working group with Afghanistan and a political dialogue on human rights and security with Algeria. An experts' group dialogue was conducted with Bahrain and a sectoral dialogue on human rights and governance took place with Bangladesh. Furthermore, the EU held a human rights dialogue with Belarus, as well as the seventh dialogue with Brazil. Human rights, good governance and administrative reform were discussed with Cambodia, whilst an EU delegation visited Ottawa for human rights consultations with Canada. The first formal human rights dialogue with Cuba took place in Havana in October. Human rights consultations were also conducted with EU candidate countries. In addition, the fifth meeting of the EU-Egypt subcommittee took place, in which both parties discussed issues regarding human rights, democracy, the rule of law and fighting corruption.

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

The European Instrument for Democracy and Human Rights (EIDHR) is a unique financing instrument for the promotion of and support for democracy and human rights worldwide. Building on its key strength, which is the ability to operate without the need for host government consent, the EIDHR is able to focus on sensitive issues and difficult situations, using innovative approaches and cooperating directly with isolated and marginalised civil society organisations. At the same time, the EIDHR is a strong supporter of multilateralism and the key institutions of the human rights architecture worldwide. Support for democracy is one of the key objectives of the EIDHR including, among others, the organisation of the EU election observation missions. In 2018 alone, new projects and programmes of an overall value of more than EUR 100 million were initiated worldwide and nine Election Observation Missions and nine Election Expert Missions were deployed in partner countries.

In October 2018, the Commission adopted new strategic priorities for EIDHR for the period of 2018-2020. Over the next three years there will be enhanced emphasis on the protection of at-risk human rights defenders and on actions addressing shrinking democratic, civic and civil society spaces, while strong support for democracy and the key actors of worldwide human rights architecture will be maintained.

## LIST OF ACRONYMS AND INITIALISMS

<b>ACHPR</b>	African Commission of Human and Peoples' Rights
<b>AfCHPR</b>	African Court on Human and Peoples' Rights
<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>AUABC</b>	African Union Advisory Board on Corruption
<b>CEDAW</b>	Convention on Eliminating 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>CPCC</b>	Civilian Planning and Conduct Capability
<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>CSR/RBC</b>	Corporate Social Responsibility/Responsible Business Conduct

<b>CT</b>	Counter-Terrorism
<b>CT/P-CVE</b>	Counter-Terrorism and Prevention of and Countering Violent Extremism
<b>DCI</b>	Development Cooperation Instrument
<b>DPRK</b>	Democratic People's Republic of Korea
<b>DRC</b>	Democratic Republic of Congo
<b>ECOSOC</b>	Economic and Social Council
<b>ECPMF</b>	European Centre for Press and Media Freedom
<b>EDF</b>	European Development Fund
<b>EEAS</b>	European External Action Service
<b>EFM</b>	Election follow-up missions
<b>EIDHR</b>	European Instrument for Democracy and Human Rights
<b>ENI</b>	European Neighbourhood Instrument
<b>EOM</b>	Election observation mission
<b>ESCR</b>	Economic, social and cultural rights
<b>EU</b>	European Union
<b>EUAM</b>	European Union Advisory Mission
<b>EUCAP</b>	European Union Capacity Building Mission

<b>EUSR</b>	EU Special Representative for Human Rights
<b>EWS</b>	Conflict Early Warning System
<b>FFM</b>	Fact-Finding Mission
<b>FoRB</b>	Freedom of Religion or Belief
<b>FLEGT</b>	Forest Law Enforcement, Governance and Trade
<b>FRA</b>	European Union Agency for Fundamental Rights
<b>FREMP</b>	Fundamental Rights, Citizens Rights and Free Movement of Persons
<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>GRULAC</b>	Group of Latin American and Caribbean Countries
<b>GSP</b>	Generalised Scheme of Preferences
<b>GSP+</b>	EU Generalised Scheme of Preferences for developing countries
<b>HDIM</b>	Human Dimension Implementation Meeting
<b>HRC</b>	United Nations Human Rights Council



<b>HRD</b>	Human rights defender
<b>HRDCS</b>	Human Rights and Democracy Country Strategy
<b>HR/VP</b>	High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the Commission (Federica Mogherini)
<b>IA</b>	Impact assessment
<b>ICANN</b>	Internet Corporation for Assigned Names and Numbers
<b>ICC</b>	International Criminal Court
<b>ICERD</b>	Convention for the Elimination 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>ICT</b>	Information and Communication Technology
<b>IGF</b>	Internet Governance Forum
<b>IGWG</b>	Open-ended Intergovernmental Working Group on Transnational Corporations and Other Business Enterprises with Respect to Human Rights
<b>IHL</b>	International humanitarian law
<b>ILC</b>	International Law Commission
<b>ILO</b>	International Labour Organisation

<b>IOM</b>	International Organisation for Migration
<b>ITC</b>	International Trade Center
<b>LGBTI</b>	Lesbian, gay, bisexual, transgender, and intersex
<b>MEP</b>	Member of the European Parliament
<b>MIPAA</b>	Madrid International Plan of Action on Ageing
<b>MPM</b>	Media Pluralism Monitor
<b>NAP</b>	National Action Plans
<b>NATO</b>	The North Atlantic Treaty Organisation
<b>NGO</b>	Non-governmental organisation
<b>NHRIs</b>	National Human Rights Institutions
<b>OAS</b>	Organisation of American States
<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 United Nations 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>RBA</b>	Rights-Based Approach
<b>RBC</b>	Responsible Business Conduct
<b>RSF</b>	Reporters without Borders
<b>RIS</b>	Regional Implementation Strategy
<b>P-CVE</b>	Prevention of and Countering Violent Extremism
<b>SDG</b>	Sustainable Development Goal
<b>SE</b>	Special Envoy
<b>SIA</b>	Sustainability impact assessments
<b>SRHR</b>	Sexual and Reproductive Health and Rights
<b>STRIVE</b>	Strengthening Resilience to Violent Extremism
<b>TPNRD</b>	Transatlantic Policy Network on Religion and Diplomacy
<b>UDHR</b>	Universal Declaration on Human Rights
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNDRIP</b>	United Nations Declaration on the Rights of Indigenous Peoples
<b>UNECE</b>	United Nations Economic Commission for Europe

<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<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>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children’s Fund
<b>UNOCT</b>	United Nations Office of Counter-Terrorism
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>UNSC</b>	United Nations Security Council
<b>UNSCR</b>	United Nations Security Council Resolution
<b>UNSR</b>	United Nations Special Rapporteur
<b>UPR</b>	Universal Periodic Review
<b>VPA</b>	Voluntary Partnership Agreements
<b>WGEPAD</b>	Working Group of Experts on People of African Descent
<b>WPS</b>	Women, Peace and Security
<b>WSIS</b>	World Summit on the Information Society