Human Rights & Democracy

The European Union views all human rights as universal, indivisible and interdependent. It actively promotes and defends them both within its borders and when engaging in relations with non-EU countries.

The EU’s human rights and democracy policy encompasses civil, political, economic, social and cultural rights. The EU is adamant about protecting the universal nature of human rights when this is questioned on grounds of cultural or political differences. The EU furthermore believes that democracy is the only political system which can fully realize all human rights.

The European Union is founded on a strong engagement to promote and protect human rights, democracy and rule of law worldwide. Sustainable peace and stability, long-term development and prosperity cannot exist without respect for human rights and democratic institutions. This commitment underpins all internal and external policies of the European Union.

Within EU borders, those principles are embedded in the EU founding treaties, reinforced by the EU Charter of Fundamental Rights adopted in 2000, and strengthened still further when the Charter became legally binding with the entry into force of the Lisbon Treaty in 2009.

Outside EU borders, the Lisbon Treaty (Art 21) stipulates that the Union’s action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity and respect for the principles of the United Nations Charter and international law.

Conscious that the respect for human rights and democracy cannot be taken for granted, the EU strongly believes in empowering individuals and organisations promoting freedom, democracy and human rights throughout the world. It also actively engages in multilateral fora and supports efforts by regional organisations to further the human rights and democracy agenda.

The Copenhagen Criteria defining whether a country is eligible to join the EU, require that countries seeking to join must respect human rights and be democratic. All cooperation as well as trade agreements with third countries contain a clause stipulating that human rights are an essential element in relations between the parties. These are only two examples illustrating how human rights and democracy represent guiding principles for the Union’s external actions.
EU main activities

The Foreign Affairs Council in July 2015, adopted a new EU Action Plan on Human Rights and Democracy for 2015 to 2019 "Keeping Human Rights at the Heart of the EU". Its implementation is a joint responsibility of the EEAS, the Commission and the EU Member States, in close consultation with the European Parliament and civil society.

The Council adopts every year an Annual Report on Human Rights and Democracy. This report encompasses two parts: the first one is thematic; it reflects the structure of the Action Plan and provides an assessment of the actions taken to address the Action Plan's priorities. The second part is geographical and covers EU actions in third countries, thus mapping in detail human rights situation across the globe.

The EU Special Representative for Human Rights helps make EU policy on human rights in non-EU countries more effective, coherent and visible.

The EU pursues Human Rights Dialogues with over 40 countries, established in accordance with the EU Guidelines on Human Rights Dialogues.

Furthermore, the EU has adopted 11 Guidelines on Human Rights priorities designed to help EU missions better advance the EU's human rights policy.

The Working Party on Human rights (COHOM) is the Council Working Party dealing with all human rights aspects of the external relations of the EU, bringing together the Directors for Human Rights and delegates from EU Member States, the EEAS and the Commission. COHOM is responsible for the development and implementation of dedicated EU human rights policy instruments, notably the EU human rights guidelines as well as the human rights dialogues. Furthermore, COHOM assists in identifying the EU's strategic priorities and co-ordinating the positions of the EU in multilateral human rights fora, in particular the UN General Assembly (Third Committee) and the UN Human Rights Council.

With a financial support of €1.3 billion between 2014 and 2020 (Multiannual Indicative Programme), the European Instrument for Democracy and Human Rights (EIDHR) supports, inter alia, non-governmental organizations promoting human rights, democracy and the rule of law; abolishing the death penalty; combating torture; and fighting racism and other forms of discrimination; as well as observing elections around the world.

Election observation missions constitute a key tool to increase transparency and legitimacy of election processes and, therefore, to support democracy. The EU has become one of the main players in election observation and enjoys high credibility.

Civil Society

Protecting human rights worldwide is not something that the European Union can do alone. Non-governmental organisations (NGOs) play a crucial role in the fight to protect human rights worldwide. Being close to the ground means that they are well-placed to obtain information and to identify priorities.

The EU holds regular consultations with NGO networks such as CONCORD, the European Foundation
Consultations take place regularly throughout the year. They also take place on an ad-hoc basis prior to Human Rights Dialogues and Consultations with non-EU countries, or during the drafting of priorities for the next funding period of the EIDHR and in relation to the implementation of the Action Plan on Human Rights and Democracy.

Every year the EU meets with NGOs active in human rights as well as experts and international organisations during the EU-NGO Human Rights Forum. The event is an opportunity for further dialogue and understanding between all of those working to protect human rights.

**Democracy Support**

The EU is founded on the principles of democracy, respect for human rights, fundamental freedoms and the rule of law. Support for democracy as a long-term commitment is broadly integrated in EU external policies, including political dialogue, trade, and development cooperation.

The EU's commitment to democracy is reflected in numerous policy documents, including the Council Conclusions on ‘Democracy support in the EU's external relations’, the Action Plan for Human Rights and Democracy, the Global Strategy, and the new European Consensus on Development.

EU democracy support aims at strengthening political pluralism, including through support to parliaments and political parties, improving transparency and accountability of institutions, and protecting fundamental freedoms such as freedom of expression and freedom of assembly and association. This approach includes fight against corruption by supporting decentralization and public administration reform, and introducing more transparency over public funding and in delivery of public services. Key focus is on citizen participation in political processes, including participation of youth, women and vulnerable groups; inclusive, transparent and credible elections; public access to information; and quality pluralistic and independent media.

Recognising the crucial role of an empowered civil society for any democracy, fostering pluralism and contributing to sustainable and inclusive development, the EU is committed to enabling the space for civil society organisations and strengthening their engagement, particularly as actors of governance.

The EU as a global actor and world's largest development donor has a unique set of foreign policy instruments, particularly to support democracy. These include actions under EU human rights guidelines, political and human rights dialogues, financing instruments including the EIDHR, Election Observation Missions and their follow-up, as well as activities in multilateral fora. The EU cooperates closely with the European Endowment for Democracy, a joint initiative of the EU Member States and EU institutions to foster and encourage democracy in the European Neighbourhood and beyond.

**Human Rights Defenders**

Support to human rights defenders is one of the major priorities of the EU's external human rights policy. Human rights defenders are our natural and indispensable allies in the promotion of human rights and democratisation in their respective countries.
The EU works to protect and support human rights defenders, who can be civil society activists, journalists, bloggers, or anyone who works to promote human rights in a non-violent way, face increasing pressure in many countries, and are regularly subjected to intimidation, harassment and violence.

EU Foreign ministers adopted Guidelines on Human Rights Defenders in 2004, which were updated in 2008. The guidelines set out the EU’s role and aspirations for cooperation with human rights defenders, and propose practical means of assisting at-risk activists.

Diplomats at EU Delegations and Member State embassies meet regularly with human rights defenders, visit detained activists, monitor their trials, and advocate for their protection.

Dedicated Liaison Officers in EU diplomatic missions act as the first point of contact for local defenders, and their contacts details have been posted on EU Delegation websites.

The EU frequently highlights individual cases of human rights defenders in public statements and in multilateral forums, raises such cases in its political dialogues with partner countries, and urges its counterparts to ensure that human rights defenders are properly protected.

The EU’s political commitment to support human rights defenders is complemented by the EIDHR which provides dedicated financial assistance to organisations providing support to the work of human rights activists. The EU also provides direct, urgent financial assistance to human rights defenders at risk, through the EIDHR emergency fund for human rights defenders.

The UN is a key ally of the EU in its work to protect human rights defenders, and the EU is a strong supporter of the UN Special Rapporteur on the situation of Human Rights Defenders. The EU cooperates closely with partner countries that have their own policies to protect human rights defenders, and works with the human rights mechanisms of other regional organisations, including the African Union, the Organisation of American States, the Council of Europe and the Organisation for Security and Cooperation in Europe.

**Children’s rights**

The EU is fully committed to the comprehensive protection and promotion of the rights of the child. Tackling poverty, protecting children from violence, abuse, neglect and exploitation, ensuring their overall wellbeing and access to quality basic services such as health, education, water and sanitation, are among our priorities worldwide. The EU ensures a comprehensive approach to children's rights by supporting specific issues and by ensuring that children's rights and needs are mainstreamed in all our policies and programmes.

The EU’s commitment to protecting children is underlined in the EU Guidelines on the Rights of the Child. The EU is also committed to promoting the ratification and implementation of the UN Convention on the Rights of the Child and its optional protocols.

2016 was an important year for international development, marking the beginning of the process of implementation of the Agenda 2030 for Sustainable Development.

Today, children make up more than half of the population in most developing countries and by 2050 one in every three children will be born in sub-Saharan Africa. There cannot be sustainable development without respect for children's rights and investing in children is critical to breaking the
inter-generational cycle of poverty.

Before the adoption of the Agenda 2030, the EU and UNICEF had already embarked upon the ambitious project of creating a tool which would ensure that child rights are mainstreamed throughout development programming, budgeting, policy-making and law-making. The "EU-UNICEF Child Rights Toolkit: Integrating child rights in development cooperation" is the result of this fruitful cooperation. There are very few child-neutral projects or programmes, most have an impact on children directly or indirectly, positively or negatively, whether we consider the more obvious areas of cooperation such as education and health or other sectors that are perceived as less child-sensitive such as infrastructure, agriculture, energy, climate change or environment. Moreover, many sectors are very often interlinked.

Through its implementation of the Action Plan on Human Rights and Democracy (2015-2019), the EU will support partner countries' efforts to strengthen child protection systems to protect children from violence, exploitation, abuse and neglect. There are also important actions to tackle issues such as children in armed conflict, child labour and harmful practices.

The EU uses a combination of policy dialogue, development cooperation and trade incentives to promote and protect the rights of the child. Discussions on children are systematically raised during dialogues with non-EU countries. The EU uses these fora to call on partner countries to ratify relevant international conventions, lift reservations, adopt or revise national legislation, identify areas where technical assistance could be helpful and to promote good practices.

Financial support for children is provided by the EIDHR, and the 2014-2020 Global Public Goods and Challenges programme (GPGC) of the Development Cooperation Instrument (DCI). Priorities under the child wellbeing chapter include violence against children, harmful practices and social norms, identity for children, child labour and social inclusion and access to justice.

The EU regularly tables resolutions on children's rights at the UN Human Rights Council and UN General Assembly Third Committee and works in close cooperation with civil society, UN bodies such as the UNICEF and the ILO and regional organisations.

**Women’s rights**

The EU’s political will to protect and promote women’s rights is evident in the Guidelines, agreed in 2008, addressing discrimination as well as violence against women.

The Guidelines on violence against women and girls and combating all forms of discrimination against them promote gender equality, put in place effective, coordinated strategies, and address the impunity of those who have perpetrated violence against women. The document also prioritises women’s rights within the EU human rights policy towards third countries and sets out a strategy for dealing with individual cases of human rights violations.

The status and situation of women in the Euromed countries have been a preoccupation of the EU since relations with the region began. Recommendations and high level meetings on the subject ensure that the topic retains a high profile. On 11 and 12 September 2013, the EU participated at the Third Union for the Mediterranean Ministerial Conference on Strengthening the Role of Women in Society which took place in Paris, gathering Ministers in charge of women affairs and gender equality from the 43 UfM Member States.
The EU also works to promote women’s rights within multilateral organisations such as the United Nations. It participates in the UN Commission on the Status of Women and is an active supporter of a resolution on renewed efforts to eliminate all forms of violence against women.

A further priority is the implementation of UN Security Council resolution 1325, which reaffirms the important role played by women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian responses and post-conflict reconstruction. It also stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.

The EU is committed to contribute to the implementation of UN Security Council resolution 1325 which reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction. It also stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.

Rights of LGBTI persons

As part of our efforts to abolish any kind of discrimination against individuals, the EU works to uphold the human rights of gay, lesbian, bisexual, transgender and intersex (LGBTI) persons – who should be able to live free from discrimination on grounds of sexual orientation or gender identity.

The EU’s diplomatic efforts in this area are focused on:

- eliminating discriminatory laws and policies, decriminalisation, and ending the death penalty for same-sex relations
- promoting equality and non-discrimination at work, in healthcare and in education
- combating violence by the state or by individuals against LGBTI persons
- supporting and protecting human rights defenders

The EU adopted on 24 June 2013 guidelines for supporting LGBTI persons' human rights. These Guidelines:

- are for use by EU staff around the world and by EU countries' national embassies in connection with human rights country strategies and reports, demarches and public statements, individual cases, court hearings and prison visits, political dialogues, international mechanisms and efforts by civil society
- provide a checklist for assessing LGBTI human rights issues
- explicitly cover the rights of transgender and intersex persons.

Rights of Persons with Disabilities

Disability can be invisible, yet over one billion people, or approximately 15 per cent of the world’s population, live with some form of disability. This includes around 93 million children with disabilities who face discrimination in many aspects of their lives.

On 22 January 2011 the EU became party to the United Nations’ Convention on the Rights of Persons with Disabilities. The convention provides the minimum standards that EU member states have to
uphold in order to respect and protect the rights of persons with disabilities.

The EU is also committed to the protection and promotion of the rights of persons with disabilities outside the EU. The EU promotes the active inclusion and full participation of disabled people in society, in line with its Action Plan on Human Rights and Democracy (2015-2019).

The rights of persons with disabilities are systematically included in the EU’s political dialogues and cooperation with partner countries as well as in the EU development cooperation. EU development cooperation is disability-inclusive: it targets specifically the needs of persons with disabilities and ensures that they can contribute to and benefit from the development efforts in their countries. In addition, the EU gives direct support to civil society organisations working on disability issues.

According to the Progress Report on the implementation of the European Disability Strategy 2010-2020, the EU funded over 336 disability-specific projects in more than 95 partner countries.

The EU successfully supported efforts to ensure that the rights of persons with disabilities were taken into account in the United Nations’ post-2015 development framework in order to remove the economic and social barriers that prevent people with disabilities from enjoying their rights, and participate fully in all areas of life and society.

**Indigenous Peoples**

EU support to Indigenous Peoples is based on the UN Declaration on the Rights of Indigenous Peoples which sets out the individual and collective rights. The EU supports indigenous peoples’ rights to, inter alia, culture, identity, language, employment, lands and territories, health, education as well as their rights to maintain and strengthen their own institutions, cultures and traditions, and to pursue their development in keeping with their own needs and aspirations.

The UN estimates that there are more than 370 million indigenous peoples living in more than 70 countries in the world. Many live in areas considered critical to the conservation and sustainable management of biodiversity and natural resources.

Since indigenous issues first entered into the EU agenda back in 1997, much progress has been made. Most importantly, the UN Declaration on the Rights of Indigenous Peoples adopted in 2007, supported by the European Union. Unfortunately, however, violations of indigenous peoples’ rights persist worldwide.

The EU is helping to address this. It seeks to integrate indigenous issues into all aspects of its external policies (political dialogues, multilateral fora, financial support). The EU is also funding projects through the EIDHR. Many of the projects are run by international organizations or non-governmental organizations. They typically support indigenous representatives as they seek to participate in relevant UN activities, or support organizations working to promote the International Labour Organization’s Convention 169.

Activities in the field of development cooperation are driven by the European Consensus on Development which commits the EU ‘to apply a strengthened approach to mainstreaming’ specific cross-cutting issues, including ‘indigenous peoples’, to integrate their concerns at all levels of cooperation, ensuring their full participation and free, prior and informed consent.

EU Delegations around the world also organize events around 9 August – The International Day of the
World’s Indigenous Peoples – to raise awareness about their rights.

The EU contributed actively to the UN World Conference on Indigenous Peoples that was held on September 22-23, 2014 in New York. The Conference had the objective of sharing perspectives on the promotion of the rights of indigenous peoples as proclaimed in the UN Declaration on the Rights of Indigenous Peoples.


**Discrimination**

The EU raises the issue of discrimination in dialogues with third countries, and has incorporated it into cooperation programmes. Actions for the fight against racism and xenophobia and discrimination on any grounds are eligible for EU funding under the EIDHR worldwide. And within the European Neighbourhood Policy (ENP), parties must commit to combating all forms of discrimination, religious intolerance, racism and xenophobia.

The EU also works actively with the UN, the Organisation for Security and Cooperation in Europe (OSCE) and the Council of Europe. The work of the European Commission against Racism and Intolerance (ECRI) is used by the European Commission in the framework of EU enlargement and the ENP.

The EU combats racism, xenophobia and discrimination also within its borders. Article 21 of the Charter of Fundamental Rights of the European Union prohibits discrimination on any grounds, including gender, race, colour, ethnic or social group, nationality, genetic features, language, religion or belief, political or other convictions, membership of a minority group, disability, age and sexual orientation.

In addition, two EU Directives tackle discrimination. The first bans discrimination based on racial or ethnic origin in a range of fields (employment and occupation, social advantages, social protection including healthcare, access to goods and services, access to education), while the second prohibits discrimination in the workplace on grounds of religion or belief, age, disability or sexual orientation.

Separate legislation prohibits racist and xenophobic speech and crime. It bans – through criminal law – incitement to violence and hatred based on race, colour, religion, descent, or national or ethnic origin. Incitement to hatred based on race, sex, religion or nationality through audio-visual media services is also prohibited.

The European Union Agency for Fundamental Rights (FRA) provides the relevant EU institutions, bodies, offices and agencies, as well as EU countries, with assistance and expertise as they implement Union law. For this purpose, it collects and disseminates objective, reliable and comparable data on fundamental rights at European level.
EU Policy on Death Penalty

The European Union holds a strong and principled position against the death penalty; its abolition is a key objective for the Union’s human rights policy. Abolition is, of course, also a pre-condition for entry into the Union.

Indeed, the EU is the leading institutional actor and largest donor to the fight against the death penalty. This commitment is outlined clearly in the EU Guidelines on the death penalty, the first ever human rights guidelines adopted by Council, in 1998.

The death penalty is cruel and inhuman, and has not been shown in any way to act as a deterrent to crime. The European Union regards abolition as essential for the protection of human dignity, as well as for the progressive development of human rights.

If necessary, the EU advocates a moratorium as a first step towards abolition. The adoption of a resolution on this issue by the UN General Assembly in 2007 was a major breakthrough, while growing support for subsequent resolutions has served to illustrate the worldwide trend in this direction.

Where the capital punishment is still used, the EU calls for it to be progressively restricted and insists that it be carried out according to international minimum standards. The EU intervenes both on individual cases and at a general policy level when a country's policy on the death penalty is in flux.

EU funding also allows non-governmental organisations to campaign for the abolition of the death penalty. Projects may range from the monitoring of the use of the death penalty to assistance to prisoners, support for constitutional reform, training, advocacy and awareness-raising campaigns.

Torture and Ill-treatment

The prevention and eradication of all forms of torture and ill-treatment worldwide is at the heart of the European Union’s human rights policy.

The absolute ban on torture and ill-treatment is enshrined in core UN human rights conventions. It is reflected at EU level in the Charter of Fundamental Rights, which states that ‘No one shall be subjected to torture or to inhuman or degrading treatment or punishment’.

Despite the efforts by the international community, torture and other ill-treatment persist in all parts of the world. The EU is firmly committed to the absolute prohibition of all forms of ill-treatment and uses all its available tools of diplomacy and cooperation assistance to eradicate torture. We raise the matter consistently in our political and human rights dialogues with third countries, and encourage all countries to ratify the Convention and its optional protocol. All our Member States have committed to do so.

The EU's Guidelines against torture and other cruel, inhuman or degrading treatment or punishment serve to protect and promote human rights in third countries. The Guidelines serve to identify ways and means to effectively work towards the prevention of torture and other ill-treatment within the Common Foreign and Security Policy (CFSP).

On an international level the EU is active in relevant UN working groups and also sponsors an annual resolution on torture at the UN General Assembly. At home measures are in place to prevent the use,
production and trade of equipment designed to inflict torture or other cruel, inhuman or degrading treatment or punishment. Regulation (EU) 2019/125 prohibits trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

The EU also works closely with civil society. Under the European Instrument for Democracy and Human Rights, the EU provides considerable funding to civil society groups working to end torture or rehabilitate torture victims. Previous projects have for example strived to:

- Enhancing capacity building of relevant State officials, such as staff and professionals within the police, the justice system, the prisons service and medical personnel.
- Strengthening of co-ordination and effectiveness between relevant National Human Rights institutions or National Preventive Mechanisms to combat practices of torture and ill treatment.
- Providing holistic rehabilitation to torture survivors and their families.
- Promoting the international and regional framework on torture prevention through educational, information and/or awareness-raising programs on the UN Convention Against Torture (UNCAT) and its Optional Protocol (OPCAT) and other relevant international and/or regional human rights.
- Advocating for instruments and tools (e.g. the Robben Island Guidelines, the Istanbul Protocol), in view of their adoption, ratification, effective domestication and implementation.

**Freedom of Religion or Belief**

The EU is committed to be at the forefront of international efforts to combat religious intolerance and to defend freedom of religion or belief. In doing so, the EU remains neutral and is not supporting any specific religion or belief.

**EU Guidelines on freedom of religion or belief** were adopted by the Foreign Affairs Council in June 2013 following broad consultations with specialised civil society organisations, as well as churches, religious associations or communities, and philosophical and non-confessional organisations.

In these Guidelines, the EU reaffirms its determination to defend freedom of religion or belief as an individual right to be exercised by everyone everywhere, based on the principles of equality, non-discrimination and universality. The Guidelines focus on eight priority areas for action: violence, freedom of expression, promotion of respect for diversity and tolerance, discrimination, changing or leaving one's religion or belief, manifestation of religion or belief, support and protection for human rights defenders and support for and engagement with civil society. Freedom of expression and freedom of religion or belief are interdependent, interrelated and mutually reinforcing as they protect individual persons' right to express opinions on any religion or belief as opposed to religions or beliefs in themselves.

Violent incidents targeting individuals and sites on grounds of religion or belief are happening in increasing numbers in various countries and are condemned by the EU through diplomatic action, statements and Foreign Affairs Council conclusions. Freedom of religion or belief is systematically raised with many partners at different levels of political dialogue and human rights dialogues.

At multilateral level, the EU addresses "Freedom of religion or belief" both at the UN General Assembly and at the Human Rights Council.

Through the European Instrument for Democracy and Human Rights Regulation for 2014 to 2020, the EU finances Civil Society Organisations active in this field and includes freedom of religion or belief as a priority issue.
A new EU-sponsored ‘Global Exchange on Religion in Society’, is planned to be operational in the first half of 2020: the goal is to connect and empower civil society actors who are working on faith and social inclusion.

**Freedom of Opinion and Expression**

Freedom of opinion and expression are fundamental rights of every human being. Indispensable for individual dignity and fulfilment, they also constitute essential foundations for democracy, rule of law, peace, stability, sustainable inclusive development and participation in public affairs. States have an obligation to respect, protect and promote the rights to freedom of opinion and expression.

The EU is committed to promoting and protecting the freedom of opinion and expression worldwide and condemns the increasing level of intimidation and violence that journalists, media actors and other individuals face in many countries across the world because of exercising the right to freedom of opinion and expression online and offline.

The Council (12 May 2014 Foreign Affairs Council) adopted EU Human Rights Guidelines "on freedom of expression online and offline". Building upon existing instruments and documents, these Guidelines recall key principles and contain clearly defined priorities and tools for the use of EU Delegations and Member States Embassies, as well as EU Headquarters, in order to better promote and defend freedom of expression online and offline. Among the priority areas of action the EU will promote and respect human rights in cyberspace and other information communication technologies.

The EU sends a clear political message in response to the worrying trend of increased internet censorship, and in its Action Plan it ensures that “a clear human rights perspective and impact assessment is present in the development of policies and programmes relating to cyber security, the fight against cyber-crime, internet governance and other EU policies in this regard.”

The European Instrument for Democracy and Human Rights also provides specific funding for cyber-censorship projects to address violations of human rights using ICT.

**Economic, social and cultural rights**

The EU attaches the same importance to economic, social and cultural rights as it does to civil and political rights. To promote and protect them worldwide, it is active in multilateral fora, raises the issue during policy dialogues and works with civil society organisations.

The EU supports the work of the UN Human Rights Council’s Independent Experts and Special Rapporteurs, who work on issues such as rights to education, adequate housing, physical and mental health, food, and access to drinking water and sanitation.

The EU also works to strengthen the International Labour Organisation (ILO), which gives it the opportunity to raise major cases of labour standards violations. During policy dialogues the Union also encourages non-EU countries to ratify and implement ILO conventions on labour standards.

As is the case for political and civil rights issues, the EU also raises economic, social and cultural rights during EU human rights dialogues and consultations with non-EU countries, as well as during meetings with relevant civil society groups.
Fight against impunity

Committed to preventing crimes against humanity, war crimes and genocide, as well as impunity for the perpetrators of such crimes, the EU provides unwavering support to the International Criminal Court (ICC) and other international criminal tribunals.

The Rome Statute entered into force on 1 July 2002 and the Court has been operating since that time. The principles of the Rome Statute of the ICC, as well as those governing its functioning, are fully in line with the principles and objectives of the Union.

The serious crimes within the jurisdiction of the ICC are of concern for the European Union, which is determined to co-operate for the prevention of those crimes and for putting an end to the impunity of the perpetrators thereof.


The objective of Council Decision 2011/168/CFSP is to advance universal support for the Rome Statute by promoting the widest possible participation in it, to preserve the integrity of the Statute, to support the independence of the Court and its effective and efficient functioning, to support cooperation with the Court and support the implementation of the principle of complementarity.

In accordance with the Council Decision, a revised Action Plan was adopted on 12 July 2011.

On this basis of Council Decision 2011/168/CFSP, the EU continues aiming at further strengthening the Court to fulfill its mandate. The European Union and its Member States will continue to encourage the widest possible participation in the Rome Statute, as universal accession is essential to ensure the full effectiveness of the Court. Determined to put an end to impunity for perpetrators of the worst crimes, the EU and its Member States are dedicated to preserving the integrity of the Rome Statute, to supporting the independence of the Court, and championing cooperation with the Court. The European Union and its Member States are also committed to fully implementing the principle of complementarity enshrined in the Rome Statute by facilitating the effective and efficient interplay between national justice systems and the International Criminal Court in the fight against impunity.

One important concrete example of this political support is the EU’s ongoing engagement towards the universality of the Rome Statute and promoting a better understanding of the ICC’s mandate. The EU continues to make every effort to further this process with third States, in particular during its regular human rights dialogues with some 40 countries, through systematic demarche campaigns worldwide, through the organization of dedicated local or regional seminars, through the systematic inclusion of an ICC clause into agreements with third countries, or through financial support to civil society organizations lobbying for the universality of the Rome Statute.

Full cooperation with the ICC is a prerequisite for the Court’s effective functioning. EU and its Member States undertake consistent action to encourage full co-operation of States with the ICC, including the prompt execution of arrest warrants. The EU’s response to non-cooperation with the International Criminal Court by third states focuses particularly on how the EU and its Member States can respond to impending instances of non-cooperation, to persisting or repeated cases of non-cooperation, and when to avoid non-essential contacts with individuals subject to arrest warrants issued by the ICC.

Given states’ primary duty to investigate grave international crimes, the EU is particularly engaged in
promoting and contributing to strengthening the capacity of national judicial systems to investigate and prosecute these crimes. The successful implementation of the complementarity principle requires both political will and capacity, while in turn effective and sustainable capacity building necessitates ownership by the development partner. States need to be willing and able, but also willing to be able to fight impunity of most serious crimes. The European Commission and the European External Action Service have developed a Joint Working Document on Advancing the Principle of Complementarity. This “Complementarity Toolkit” aims at providing operational guidance to bridging the gap between international justice and national justice systems, as an effective and efficient interplay between national justice systems and the International Criminal Court is pivotal to giving full effect to the Rome Statute.

EU member countries are the biggest financial contributors to the ICC budget, and the EU itself funds projects supporting the ICC and international criminal justice through its European Instrument for Democracy and Human Rights (EIDHR).

**International Criminal Court**

- Council Decision 2011/168/CFSP (in 23 EU languages) 21/03/2011
- The European Union and the International Criminal Court - 05/2010
- Security arrangements for the production of classified information exchanged between the EU and the ICC 04/2008
- Agreement between the ICC and the EU on cooperation and assistance (in 23 EU languages) 29/09/2006
- Action Plan to follow up Common Position on International Criminal Court 28/01/2004

**Council of the European Union**

- The Review conference of the Rome Statue of the International Criminal Court 25/05/2010
- Promoting compliance with international humanitarian law 08/12/2009
- International Criminal Court 21/07/2003
- International Criminal Court 30/09/2002
- Council conclusions 30/09/2002
- International Criminal Court and the draft US american Service members' Protection Act, ASPA 17/06/2002
- Human Rights (UN Commission on Human Rights in Geneva) - General Affairs Council 11/03/2002

**International Humanitarian Law**

The EU is a major advocate for International Humanitarian Law (“IHL”) and humanitarian principles. It continues to implement the EU Guidelines on International Humanitarian Law, which promote compliance with IHL by third states and non-state actors.

In its Action Plan on Human Rights and Democracy, the EU pledged to make more systematic use of political dialogue and demarche campaigns to encourage third countries to ratify core International Humanitarian Law instruments and implement IHL obligations. To this end, the EU calls upon States that have not yet done so to adhere to, and implement, important International Humanitarian Law instruments, such as the 1977 Additional Protocols:
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977;

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977.

In addition, the EU and its Member States are convinced that implementation and enforcement of existing International Humanitarian Law and other relevant existing legal instruments which have an impact on International Humanitarian Law are of great importance and fall under States' responsibilities.

The EU continues to support International Humanitarian Law campaigns addressed to warring parties, including armed non State actors.

The EU provides staff training on International Humanitarian Law and is funding training and education in International Humanitarian Law in third countries including within the framework of broader rule of law programmes.

**Human trafficking**

The victims of human trafficking are often the most vulnerable in society – the poor, minorities, women and children. The EU approach to tackling the trafficking of human beings encompasses law enforcement, prevention and victim support.

The EU's approach to trafficking begins from a gender and human rights perspective and focuses on prevention, prosecution of criminals and protection of victims. This is reflected in the Directive on trafficking in human beings.

At the end of 2010, the Commission appointed Ms. Myria Vassiliadou to the position of EU Anti-Trafficking Coordinator. Her task is to improve coordination and coherence between EU institutions, agencies and States as well as non-EU countries and international actors in the field of anti-trafficking. The EU anti-trafficking policy website provides a one-stop-shop for practitioners and the public interested in the problem of trafficking.

The EU Strategy towards the Eradication of Trafficking in Human Beings was adopted in 2012, a set of concrete and practical measures to be implemented over the following five years. These included prevention, protection, support of the victims and prosecution of the traffickers as well as the establishment of national law enforcement units specialized in human trafficking and the creation of joint European investigation teams to prosecute cross-border trafficking cases.

As with other human rights issues, the EU raises trafficking in political dialogues with third countries, within multilateral and regional fora, and at the level of cooperation programmes, for example in development.

Financial assistance is made available through the EU programme on migration and asylum and the European Instrument for Democracy and Human Rights.

**Documents**

EU Annual Reports on Human Rights and Democracy
EU Human Rights guidelines
EU Action Plan on Human Rights and Democracy

See also

#EU4HumanRights
EU Election Observation missions
UN Human Rights publications
www.eeas.europa.eu

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